

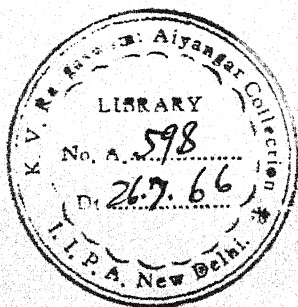


# B I S M A R C K

## AND THE ORIGIN OF THE GERMAN EMPIRE

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## PREFATORY NOTE

THE formation of the German Empire was due to many causes, and might be described in many ways. In this short essay I have discussed only one of the interesting questions which are suggested by the history of the German Empire and the career of Bismarck. To what extent are political events influenced by political ideas? How far does the experience of the past, as expressed in political thought, direct later experience, and how far is political thought modified by new experience? I have felt that a general introduction to recent German history, suggested by this problem, would be more helpful and acceptable to my readers than a summary of Bismarck's life. From this single point of view I have tried to show how the past history of Germany and the career of one of her greatest men may illustrate each other. It is not necessary to remind my readers that other writers might have preferred to adopt other points of view; for example, one might analyse Bismarck's relations with others, and write a diplomatic and personal sketch; another might discuss German unity as a triumph of military efficiency and lay stress upon Moltke; a third be attracted by the great importance of economic facts—he would dwell upon the Zollverein, upon the Prussian economists and administrators, such as Georg Maassen and August von der Heydt, and would try to show why, in spite of industrial

development and the municipal reforms of Stein in 1808, the economic and political Liberals were unable to create a democratic Germany. The point of view which I have preferred is, I think, more important than any of these, partly because it enables us to keep the balance between the rival tendencies in Germany, partly because it enables us most readily to adjust ourselves to the bewildering mass of information which is now so accessible to us. But it is only one point of view, and if it has caused me to emphasise some things which are not discussed in most books, it has also caused me to omit many which are.



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# BISMARCK AND THE ORIGIN OF THE GERMAN EMPIRE

## CHAPTER I

### BISMARCK

OTTO VON BISMARCK was born in the year 1815, a few weeks before the battle of Waterloo. He belonged to an ancient family of the old Mark of Brandenburg, the source and centre of modern Prussia. His childhood, however, was passed among the flat stretches of Pomerania, upon his father's estates. He was educated at Göttingen and Berlin, where he made the friendship of the American Motley, and of Roon, the future minister of war. After a brief administrative career and a period of local retirement as a country gentleman, he attracted general attention by his activity in the Prussian parliament in the crisis of 1848. During the reaction his rise to eminence was rapid. In 1862, when he was ambassador at Paris, he became the first minister of King William I of Prussia. From this time until his fall in 1890 he was the foremost man, first in Prussia, afterwards in Germany, and finally in Europe. He died in 1898.

Bismarck was a very tall man of large build, but lithe and muscular as well as massive. He rarely lacked dignity and never gave the sense of clumsy or wasted

effort. In a sketch of him drawn at the age of nineteen, he is shown in a thoughtful mood, sitting with down-cast eyes and tangled hair, a large firm chin and a look of confidence and self-control. As a man he had a round, well-shaped head, prominent arched eyebrows, and keen, grey-blue eyes. When he was old and wrinkled, with the appearance of a big tired dog, his eyes never lost their amazing power.

He was the son of a soldier and country gentleman, and was very proud of his origin, especially of the fact that his ancestors had fought in all the great Prussian wars. Bismarck always retained the tastes, although he lost some of the prejudices, of his class. He was fond of good fare, ate and drank largely, and was devoted to the chase. He was a master of pithy, vigorous, and homely speech, and believed in the use of force. He had by nature a contempt for anything weak, sentimental, or vague, and among the objects of his disdain he included several of the Christian virtues. It is true that the influences of his friends and of his diplomatic life enlarged his outlook; in course of time he stood apart from all parties and preferred the society of men who had a wide training and had, perhaps, at one time held opposite views; yet the ideas which inspired his life as a statesman, although they became vaster and more luminous as he gained experience, were the ideas of his class. His honest belief that those who opposed him were men who put party before country, reminds one of a choleric country squire. He had the most powerful brain of his time; but like all very great men, he depended for his strength upon a few simple, clear ideas. In Bismarck's case these ideas did not come slowly; they were the convictions of his class. He was determined to make Prussia great, and he was convinced

that Prussia could only exist if certain social and religious habits and institutions were untouched.

As one would expect, Bismarck was a religious man. From the age of thirty he had a belief in the guidance as well as in the existence of God. His mother was of a rationalist turn of mind, and like so many young Germans, Bismarck had dabbled in many philosophies before, through the influence of his friends Maurice von Blankenburg and his wife, he experienced a mild evangelical conversion. His religion was not an artificial reaction against scepticism, nor did it involve a theocratic idea of the State; both these types of belief were common in his youth, but Bismarck's religion was simpler and larger. He believed that the political and religious traditions of his country were inextricably connected, and he moved in such lofty and obscure paths that a personal God was necessary to him. If he did not believe in God, he once said, he could not remain in public life. But his God worked through the wrath and energy of political strife; his devotions never forced him to pause or hesitate; they were rather the power which moved the remorseless engines of his mind. He could be passionate and ruthless. He was brutal in the exercise of his determination, and would lie awake at night indulging in the luxury of hatred.

Bismarck had few friends, and formed no very intimate relations outside those of his family and his dogs. Although his imagination could grasp the affairs of a continent, his humanity was stirred by small homely things rather than by the tragedy which lies hidden within great events. He was gracious and kindly, and could be a charming companion; yet, but for his interest in his family and his estates, he would have been

the loneliest of men. His devotion to his wife, his keen sense of natural beauty, his kindly greeting of unimportant strangers, were in contrast to his public, which was also his inner, life. He was one of those men who really live in the exercise of their will, which often, he said, outran his thoughts. It is impossible to think of him as inactive ; the years of his retirement do not seem to be part of his life. He found himself slowly. As a student he lived fast ; as a young politician he was suspected, in spite of his courage, as passionate and eccentric ; even as minister he was, for some time, lightly esteemed as the incompetent head of a reactionary set. But when his energy once found expression and fell under the control of his mind, he was irresistible. Foes and friends alike felt that they were caught up by him as by a vast machine, to be destroyed or to be used. As he grew older he seemed to have no point of contact with ordinary men. To interest him, said Lenbach the painter, one must have something to offer him. He worked from nine in the morning till after midnight, and, like Richelieu, frequently found the key to his designs when the world was asleep. In his old age, his brain was "like a printing press, working incessantly, without any paper to print upon." He sometimes suffered, as all lonely men must, from deep despondency, especially after the accomplishment of some great task. He was so sure of himself that success was but an incident. Hence he was as impatient of being opposed or thwarted by the exultation of his friends as he was of the intrigues of his personal enemies. At the height of his career, when the army chiefs of Prussia urged the king against his advice to follow up the victory over Austria and to march on Vienna, he was so disturbed that he thought it would be better to

die. Moderation was as vital to his plans as victory itself. In him moderation was no sluggish thing, but like all his qualities, was a principle of action.

There is no historical parallel to Bismarck. Perhaps Richelieu is most like him. The great cardinal had the same power of work, the same periods of melancholy, the same moderation; but his passions were calmer, his mind was less constructive, his irony more impersonal. Both men were ambitious to leave enduring work behind them, not to benefit themselves; but the task which Bismarck set himself was the more difficult, and he brought to it the spirit of the partisan. Hence it is easier to pass judgment upon Richelieu than upon Bismarck. The latter was no hypocrite. He was small enough, or—if the expression be preferred—sufficiently conscious of the ups and downs of current moral standards, to gloss over, in his *Reflections*, two or three episodes of his career. But he played his part frankly, with no attempt at self-deceit. If he played double, it was because he knew that duplicity was one of the weapons of the warfare in which he was engaged. "We are not here to sit in judgment," he said in 1866, "but to pursue the German policy. Austria's conflict in rivalry with us is no more culpable than ours with her; our task is the establishment or initiation of German national unity under the leadership of Prussia." Brutality and duplicity are always evil, but they are most harmful in small-minded and self-seeking men; if they are joined with great mental gifts, with unselfishness, industry, and faith in one's country, it is difficult to say that their possessor has done more harm than good. The truth is that under modern conditions the results of moral and intellectual qualities can rarely be distinguished. There have been statesmen who have

honestly waited upon events in the determination to choose the truth, but as often as not they have become the victims of circumstance. They have been inconsistent ; their apparent hypocrisy has caused great pain and loss of energy in others ; and they have frequently had to confess that, in trying to do good, they have done harm. Those men who choose other than political ways of self-expression, have greater opportunities of serving mankind. This is not to say that the men who cannot compromise and are broken on the wheel of politics, are not of importance in history. Dante, who climbed the alien stair, was, even as a politician, a more significant man than Bismarck. But those who do take a different course must be judged on the result of all their qualities, especially if, like Bismarck, they are expressing the aspirations of thousands of human beings.

## CHAPTER II

### SOME POLITICAL TERMS

It is not too much to say that during Bismarck's public life politics in Europe became serious. Men began to discover that such terms as balance of power, state, public opinion, nationality and race must be clearly defined. They are realities, and the welfare of millions of persons depends upon the understanding of them and upon the way in which statesmen deal with them. This change is not unlike the change in the world of morals and theology, where the discoveries of science, and the tension of modern life are showing that even our lightest opinions may have important results for good or for evil; an ignorant or meddlesome fanatic is now a greater source of danger to society than he has ever been. Similarly in politics there is less scope for experiment or for idle reasoning. This is partly due to the influence of scientific and historical studies, which have increased the sense of political responsibility; but it is the result to a much greater extent of political pressure. The world has been divided among a few great interests, and at the same time, it has been bound together in a network of communications, so that the whole globe is gradually developing a common nervous system. No fact has been so important in producing this change as the formation of the German Empire. A great military state suddenly appeared in the place of



thirty or forty small states. This was not the result of unconscious change, but was consciously contrived after two generations of vague speculation and of hard thinking. The new power is therefore armed for its defence in accordance with intellectual rules; and, most important of all, it has absorbed into itself a number of political prejudices and aspirations, so that it is a state of capacity, able to develop in all sorts of ways, as well as of great vitality. All this has taken place in the district between the Rhine and the Danube and the Vistula, which had been a distracting centre of intrigue, a European workshop and pleasure garden. For the first time in the history of Europe, governments have realised the possible results as well as the immediate purpose of war. Hence for more than forty years peace has been kept everywhere in Europe except in the Balkans, and the European states have been forced to study politics, legal ideas, social difficulties, and the facts of commerce, as they have never studied these things before.

Bismarck, it will be seen, is thus of great importance in the history of political ideas, and of the relations between states, as well as in the history of Germany; and it is advisable to begin with a brief discussion of some political terms.

**The Balance of Power.**—Medieval thinkers who reflected upon the relations which bound society together rarely thought of Europe as a group of definite separate states which could govern themselves or worship God as they chose. There was, it is true, much difference of opinion about authority, and most of the modern theories of the connection between rulers and their subjects can be traced to problems of medieval politics; but the modern conception of sovereignty as the ab-

solute control by a nation of a definite stretch of land and water would not have been admitted without all sorts of puzzling reservations about rights, duties, and beliefs. Some people, even as late as the fifteenth century, thought that European peace and order under the direction of a single head were not merely desirable ends, but were actually possible through the machinery provided by God—that is, through the emperor or through the Church.

Like all political thinking that is worth reading, this doctrine was based upon facts. The social order of Rome lay beneath European society. The chief ruler of Europe owed his peculiar position to the fact that he was the successor of Roman emperors. He was elected by a small group of German princes, three ecclesiastics, and four laymen, but his claim to be lord of Italy and vaguer claims to authority in other parts of Europe outside his kingdom of Germany were a conscious survival of imperial ideas. Secondly, the gradual settlement of Europe, the formation of feudal civilisation and its extension east of the Elbe had largely been inspired by the Church.

The Reformation deprived medieval thought of its material. The religious unity of Europe was shattered, and in the realisation of this change political unity was seen to be a fiction. Henceforward there was less hesitation in asserting local views on sovereignty and in accepting the doctrines of conquest and of popular consent. France took the lead in this new form of dogmatism. Even in the Middle Ages the control of Europe through the Empire had been an object of French ambition. The King of France, it was asserted, had as much claim to be elected emperor as had any German prince. For one thing, his vassals and the

members of his house had done more than any others for the extension of Christian civilisation in the East. These aspirations were revived in the sixteenth and seventeenth centuries, but with a different note. It is true that the great King Henry IV, who died in 1610, is said to have dreamed of a European federation under French guidance, which was to direct the coalition against the Turks. Several kings still made futile bids for the imperial crown. But France began to form alliances with the Sultan, the enemy of Christendom, who was making himself master of the Mediterranean and the Danube valley. Louis XIV finally deserted the idea of European unity. By his time the new dogmatism was clearly expressed. Louis was king by divine right; the events of history had given to France and to the French people the right to an independent development and a claim to natural frontiers. Sovereignty was an absolute thing, not a tangle of feudal privileges, but capable of definition in terms of land; it could be transferred; the crumbling and disunited Empire could, therefore, no longer imply an unchangeable dominion.

Early in Louis' reign Mazarin succeeded in detaching from the Empire a great part of Lorraine in theory as well as in fact, and the whole of Alsace in fact if not in theory. During the Italian wars of the eighteenth century a change of sovereigns was supposed to purge a piece of land of all imperial taint. The example of France was followed all over Europe, and although the doctrine of rights was never set on one side, it was supplemented by other ideas. Thus the rights based upon new facts were opposed to the rights based upon old facts. It was equally easy to pass from the claims of history or geography, from divine right and natural

frontiers, to claims grounded in force and success. The assertions of the various states could no longer be checked by the diffusion of a vague moral sense, but only by an ever-changing and elaborate system of alliances.

Yet, when Napoleon, acting upon this view, finally destroyed the Empire and rearranged the political geography of Europe regardless of tradition and nationality, the world was shocked. Napoleon was not more unscrupulous, and was certainly more statesmanlike, than the politicians of the eighteenth century; but he did not play the legal game. European statesmen felt that there was a difference between their rules and his; they combined to crush him and restored the old idea of European unity in a new form. The Emperor of Russia, Alexander I, wished even to restore the idea of a spiritual unity. His Holy Alliance did not endure, but the great congress of Vienna, at which Europe was resettled, commences the history of the European Concert.

At first the allies who had overthrown Napoleon imagined that they could find some permanent method of common action. They had been fighting against the French Revolution no less than against the French emperor, and they desired to destroy the influence of the Revolution within their own ranks. Hence they hit upon the formulas of legitimacy and intervention. The great powers of Europe, they argued, had a right, in the interests of peace, to intervene in any state which seemed unwilling to regulate its own affairs in accordance with the legitimate principles of its existence. Needless to say, these formulas could not be enforced. It was too easy to identify legitimacy with absolutism and intervention with tyrannical control. It is very

significant that they were triumphant only in the borders of the old Empire, in Germany and Italy. The formation of a united Italy and a united Germany involved the end of the attempt to impose a common policy upon Europe. The Piedmontese Cavour and the Prussian Bismarck are responsible for the balance of power which has taken the place of the Holy Alliance.

Yet the present theory of the balance of power is no mere return to the politics of the eighteenth century. It recognises the existence of unity in Europe. In spite of the reluctance of Russia, the powers of Europe have insisted from time to time in acting together to deal with Balkan affairs. The old rights and principles have gone, and Europe is at last composed of hard and fast states, strictly independent of each other; but this very fact has made a common law, based upon actual experience, necessary to the well-being of all. There is more common action to-day in all the various affairs of social and political life than there has ever been. It should never be forgotten that, until the unity of Germany had been achieved, these facts could not be faced. This is the good side of the armed peace.

The balance of power, then, is the result of several causes. It is a system of alliances like that of the eighteenth century; but it does not exclude the idea of European unity, and its character has been determined by the growth of new states, of which the German Empire is the most important.

**The Theory of the State.**—This development becomes clearer when the gradual definition of the state during the last century is considered. It has been said that the great powers after 1815 considered that they had a right to maintain a particular state of things in Europe. Metternich, the Austrian statesman who

directed the policy of reaction, was, it is true, no devotee of abstract ideas. He simply wished to destroy everything that was dangerous. "Not romance, but history; not belief, but knowledge," was his saying. He suspected attempts to explain the nature of things. The craze for constitutions was, he thought, opposed to the principle of stability; health was the only test of political liberty, and by health he understood order and acquiescence in existing facts. But there were many Conservatives, especially the disciples of the romantic movement, who felt the need of a definite creed in politics as in religion or in art. Just as, in the Middle Ages, it was the duty of every Christian ruler to take part in the holy war against heresy and even against the excommunicated, so, they argued, the modern state should have a mission. Metternich was referring to extreme forms of this feeling when he jeered at the young men of Swabia, who desired to set up a theocratic government in Palestine, and at the "Bible-readings" encouraged by Madame de Krudener, the Egeria of the Emperor Alexander of Russia. As we shall see, the romantic Conservatives played for a time a very important part in Germany. They were not liked by Bismarck, who regarded the function of the State very differently, but they are by no means dead. In Bismarck's time the most interesting exponents of this point of view were the brothers Gerlach, one of whom was a General, and the other, Louis, President of the High Court at Magdeburg. Leopold von Gerlach, the general, is described by Bismarck; he was free from the fanaticism of his brother, but had a weakness for clever aphorisms. He expounded his views in a correspondence with Bismarck in 1857. It is wrong to make patriotism a principle; patriotism is a matter

of course. Without some wider aim, all political combinations are faulty. There must be a principle corresponding to the medieval ideal of spreading the Christian Church, and to the later wars against the Turks. Even the Silesian wars waged by Frederick the Great in the eighteenth century had essentially a Protestant character—that is, they were waged for a principle, “even though territorial interests and the balance of power played a part in them all.” “My political principle,” he continues, “is, and remains, the struggle against the Revolution.”

This point of view is the more intelligible when it is compared with the similar standpoint of the revolutionary party. The French Revolution soon became a missionary movement; and its spirit died out very slowly. Indeed, it may still be seen in projects for a universal strike and other expressions of international sympathy between the Labour parties of Europe. After the fall of Napoleon, political propaganda was carried on by secret societies, by the exiled Poles, and democratic leaders like Blun of Leipzig, who had much more ground in common with their fellows in Paris and other foreign cities than they had with the citizens of the artificial communities in which they lived. This sense of unity drew students from their books and workers from their shops at the call of 1848. The idealist of the movement was Mazzini, the founder of Young Italy. For Mazzini, as for the brothers Gerlach, the State had a mission; nationality is useless without a moral purpose. He was indignant that the French, who had led the way in the cause of humanity, should have been beguiled by the lust of conquest, or satisfied by peasant holdings and the promise of labour laws. They were on a nobler path when they faced Europe with the

demand to follow them or fall. Every nation, said Mazzini, may contribute something unique to the European harmony; but only after conflict. "When you have substituted justice for tyranny, truth for falsehood, duty for selfish interests, the republic for monarchy, then you will have peace, but not till then."

The view of the State which has prevailed in Europe is very different. It has been called the historical view, and is a reassertion under new conditions of the claim to independence which was defined so clearly after the Reformation. When men like Gerlach spoke of resisting the Revolution, they meant that the State was necessarily expressed in certain forms—in legally recognised class distinctions and in a legal relation between Church and State. Apart from these feudal and ecclesiastical qualities, the State, as a legitimate thing, ceased to exist and could not fulfil the Divine purpose. Similarly, when Mazzini spoke of spreading the Revolution, he meant that, if the State was to be effective in expressing the principles of human brotherhood, it must possess certain qualities which are only to be found in a democratic republic. In other words, the constitution of a State must correspond to its purpose. The prevailing theory, on the other hand, insists that the fact of *nationality* or of some historical sense of unity, is the true basis of the State. The constitution must be such as will best express and also safeguard this common sense.

It is a mistake to suppose that no question of principle is involved in this point of view. Even if the formation of a State depends upon natural forces entirely, the conflict between these forces, the adjustment of the difficulties of race, speech, neighbourhood, implies much conscious speculation. As a matter of fact, the dis-



covery of nationality has included the discovery of law and institutions no less than of natural forces. Even in discarding the claim of universality preached by the French Revolution, modern States have learned much from the Revolution. It broke down artificial barriers and made men and women realise that they had deep-rooted affinities. Again, the teaching of the Revolution was necessary to show what citizenship implies, and this teaching was the outcome, at least in part, of the "enlightenment" of the previous century. It is significant that the most enlightened thinkers of the eighteenth century had to come in the end to the old truth that the preservation of political as well as of other social relations rests upon "virtue." Citizenship remains a matter of principle.

Hence it is equally false to assert that the history of nationality, and especially of Germany under Bismarck's influence, is an assertion of the doctrine that might is right. Many writers, it is true, were so carried away by the victories of Prussia that they began to write of Teutonism and of the Prussian State as though they were forces whose success proved a divine right to prevail. It is true also that considerations of history or of utility have frequently been supposed to justify what are generally considered to be illegal acts. This distinction between law and history is frankly drawn by Russian statesmen when they insist upon the rights of the Russian to control the Finnish nation. But these facts are misleading. They are not isolated, but are the more glaring expression of a general conflict between an old and a new form of right. Many lovers of liberty and principle thought that the King of Sardinia attacked the rights of Austria when he made himself King of Italy. If, as we must believe, the right of nationality, based as

it is upon a complicated series of physical and spiritual facts, does express a truth necessary for human progress, we may be sure that time will avenge perverted assertions of it.

In Germany, at all events, the difficulties raised by the assertion of nationality were far too great to be solved by the use of force alone ; and Bismarck was much too clear-sighted to imagine that they could.

## CHAPTER III

### GERMANY

THE constitution of the German Empire, the best summary of Bismarck's work, shows the influence of many traditions and political principles. It is federal, yet one of the most united of federations. It expresses national desires, yet, just as it comprehends Poles and Lorrainers, it is capable of sheltering the old cosmopolitan ideals of Germanic culture. Its legislative body is democratic, elected by universal suffrage ; its Federal Council or Upper House, as representative of the various governments, is composed of official aristocrats ; its ministers are responsible to the Chancellor, and through him, to the Emperor alone. If we try to discover why modern Germany is so distinctly national while being so distinctly federal, we are forced back upon a study of medieval institutions, which expressed themselves in a very complicated political geography. If we ask why the ideals of German unity have been so various, we must turn for an answer to eighteenth century enlightenment, to Napoleon, to the prejudices of class and the insistence upon State rights, and to the constitutional movements inspired by modern Liberalism.

**German Political Geography.**—Germany to-day contains several large states, a few small ones, and three city republics. They have had very different origins ; some states, for example Bavaria, can be traced back

distinctly to early tribal divisions ; others, for example Prussia, the largest, and Reuss, one of the smallest, had their origin in official areas of various kinds, formed in various periods. Yet all of them, however unbroken their history may be, are the result of constant artifice. They are the survivals of a very complicated political system, in which racial, official, dynastic traditions were twisted into all kinds of shapes by war and conquest, religious passions, and diplomatic contrivance. This process began in the ninth century and is not yet completed.

The first stage was reached when the administrative areas, whether they carried on tribal traditions or not, had assumed what may be called state-form. This stage was completed in the thirteenth and fourteenth centuries. The local orders of society grouped themselves round the administrative aristocracy, which became hereditary and semi-independent, comprising the princes of the Empire. At the same time, those vassals of the emperor who had not been swept into this system assumed the same legal status. Bishoprics, and abbeys, official areas of lower rank which had successfully resisted the influence of their greater neighbours, cities which owed their privileges to the emperor or had thrown off the rule of bishop or abbot, became states. Even the swarm of knights who, through the downfall of the great southern duchies, had become the immediate vassals of the emperor, acquired the independence if not the rights and privileges of a state.

The second stage was completed in the sixteenth and seventeenth centuries. As a result of the religious wars, many of the ecclesiastical states were secularised, and each state definitely gained the rights of self-government in religious matters and independence in forming

foreign relations. Moreover, the theory of absolutism, that sovereignty is a form of property, spread through Germany. It was held especially in the north, where, in the course of the seventeenth century, the doctrine of serfdom, which denied legal rights to the peasants, seems to have been developed. In this period the great state of Prussia was formed. The margraves of Brandenburg succeeded to the duchy of Prussia, which had been formed among heathen non-Germanic tribes by the Teutonic Knights, a crusading order. When in the first month of the eighteenth century Frederick of Brandenburg assumed the title of King, he called himself King of Prussia (January 1701). His dominions were scattered. His predecessors had won a group of duchies and ecclesiastical territory in the west, on both sides of the Rhine; his margravate of Brandenburg lay in the middle of North Germany, separated from the Rhenish and Prussian possessions. But the absolutist principles of the new monarchy were sufficiently strong to keep them together. Frederick's grandson, Frederick the Great, acted as a European rather than a German prince, waged civil war in Germany, and added the rich province of Silesia and a large part of Poland to his kingdom.

The third and most important stage in the political history of Germany was reached in 1815. At the end of the eighteenth century 320 distinct territories were inscribed in the list of the ten circles into which Germany was divided; and about forty more were not comprised in the circles. Although the real power lay with the greater secular princes, this diffusion of sovereignty made unity impossible. Napoleon, desirous of creating a manageable number of allied and dependent states in Germany, encouraged the

absorption of the ecclesiastical states, the cities, and the tiny immediate territories, by the princes ; through his influence the dukes of Saxony, Bavaria, and Württemberg took the title of King ; finally, he put together an artificial kingdom of Westphalia in the north. When the victorious allies took stock of his work in 1814-15, they were able to create a new Germany of about forty states instead of the 400 which had existed a few years before. On the other hand, if federation was made possible by this reduction in the number of states, it was not favoured by rulers who had won new dignities, strength, and independence by the change.

**German Nationality and Cosmopolitan Ideals.**—The slow disintegration of Germany deprived the German people of effective political unity, but did not impair their national unity or their sense of race. In times of mental or spiritual activity, as during the period of the Renaissance, the consciousness of national unity was very marked. Indeed, it was sufficiently strong to inspire several attempts at political reform. As the central power lost influence, the princes occasionally tried to enforce schemes of constitutional unity—a common army, common taxation, a central court of justice, a more powerful Diet. But the formation of different state churches in Germany, and the growth of foreign influence disturbed all these plans. In the eighteenth century a sense of German unity with any political force did not exist. It was only revived by the Napoleonic wars.

An interesting attitude to life which can only be described as cosmopolitan took the place of a vigorous nationalism. This attitude was partly the cause, partly the result of the failure to maintain a common life. In the tenth century the king of the Germans became

the head of the Holy Roman Empire. Germany was for a time but part of his dominions, and, when imperial ideas gave way before dynastic ambition, was beyond the control of any ruler. The emperor was elected ; he was compelled to acquiesce in the limitations which were imposed upon him ; and he consequently devoted his energies to the aggrandisement of his house. The success of the Habsburgs, who managed to retain the imperial dignity for nearly 400 years, involved Germany in every European difficulty. As head of the house of Austria, the emperors added the kingdoms of Bohemia and Hungary, the north of Italy, and the provinces now known as Belgium to their patrimony ; as head of the Empire, they lost Alsace and Lorraine to France. In the north the growing state of Prussia maintained the borders of the Empire, but secured independence as a reward. The result was inevitable. Divided into innumerable governments, involved in the fortunes of Slav, Czech, Magyar, and Latin peoples, the Germans either forgot their unity or sought their destiny in other than political fields. The thoughtful and educated class—the *intellectuals*—began to expound a doctrine of cosmopolitanism. French became the fashionable language, as it was with the young Russians of forty years ago ; the German aimed at being a citizen of the world. Even those who by their devotion to their mother tongue laid the foundations of modern Germany, had no idea of nationality. Lessing professed to have no love of country. “Germans,” cried Schiller, “do not seek to form a nation ; content yourselves with being men.” He meant that, by the exercise of their natural powers, they would sufficiently fulfil the mission of the German race.

Unfortunately the men of the eighteenth century lived

in a false security. The French Revolution came, and after it Napoleon came. He destroyed the Empire, which officially ceased to exist in 1806. He took the Germans at their word and disregarded German nationality. The Germans realised that they were a people, and destroyed him.

Hence in 1815 the spirit of cosmopolitanism was at last opposed in Germany by an equally powerful spirit of nationality.

**Nationality and Constitutionalism.**—The assertion of German nationality could not cease with the fall of Napoleon. The appeal to it had involved an appeal to organised popular force. New armies, gathered together and disciplined in new ways, new universities inspired by new teachers, new municipal institutions, new freedom for the peasantry—these were the means by which the great German statesmen Stein, Hardenberg, and the rest, had created a national resistance in Prussia. In the smaller states the same spirit prevailed. All seemed to be agreed that Germany must assert herself as the Republic and Napoleon had trained France to assert herself. Very many wished to go further; for them nationality meant Liberalism and a National Constitution.

But this was by no means the intention of the ruling element in the German states; nor had any statesman, however sympathetic he may have been with the ideal of a national state, thought out for himself how the change was to be made. The spirit of cosmopolitanism, which had hidden herself in the recesses of the courts, began to make herself heard once more. The enemy, she said, was not Napoleon, but the forces of anarchy and change which had only used Napoleon as an instrument. Liberalism was the Revolution in another form;



it did not understand the meaning of nationality, but used the name in order to enchain governments. Nationality was impossible if legitimate institutions and ancient rights were disregarded. Moreover, how could so-called national institutions be created which did not involve a contradiction ? The independence of Saxony and Bavaria was surely grounded in something more than artifice ?

The German confederation of 1815 expressed this point of view. The Holy Roman Empire and its unworkable constitution had disappeared. The new constitution had none of the prestige, but contained most of the defects of the old. It survived, with one short period of suspended vitality, until 1866 ; and, during the first thirty years of its existence, it was interpreted by the Austrian statesman Metternich. It was originally a form of compromise between the Conservatives and the popular movement which won the victories of the war against Napoleon. Each state was to be strictly independent ; the confederation was an association for defence against enemies and for the maintenance of peace within its borders ; it gave no opportunity for co-operation in the great task of a nation conscious of itself, " the reorganisation of its social life on a national basis." On the other hand, a famous clause (No. 13) guaranteed representative institutions to the several states, and other clauses dealt with religious toleration and the freedom of the press in a liberal spirit. Now such a constitution was clearly capable of many different kinds of development. If the thirteenth clause had been interpreted and fulfilled in a liberal fashion, the German Confederation would probably have assumed by degrees some such form as that of the United States of America : the central government would have been strengthened,

and the political problems at issue would probably have been state-right questions of an economic and religious kind. For reasons which are already apparent and will become clearer as we proceed, any development of this kind was impossible. Within five years Metternich had given quite a different interpretation to the constitution. The German Federal Act of 1815 was explained by the Final Act of 1820, and by various later decrees between 1830 and 1840. All possibility of increasing the power of central institutions, even for purposes of military defence, was prevented, but the federation was given powers to stamp out all liberal or revolutionary propaganda, and to protect all rulers against any constitutional demand which threatened their absolute authority. "Inasmuch," said the 57th clause of this Final Act, "as with the exception of the Free Towns, the German Confederation is composed of sovereign princes, the full and undivided power of each State must continue to reside in the hands of the head of the State." Metternich had with great skill persuaded the German governments that this addition to the Federal Act was necessary. By means of his great influence he was able to repress Liberals in Germany, and to make the Confederation the most important European exponent of the principles of reaction. As in the Middle Ages, the German stood for universal rather than national principles.

The influence of Austria was necessarily both anti-liberal and anti-national. The Austrian duchies are German, but then, as now, they were but part of an empire—the new Empire of Austria—which was mainly composed of Slav or Magyar elements. In origin the Austrian duchy was a border district, organised to resist Slavish or Hungarian invaders. It had always been,

and was still regarded as being, essentially a German province. But, in any case, the control of Germany through Austria seemed to Metternich to be necessary if the equilibrium of the Austrian Empire was to be maintained. The Empire relied upon the suppression of national as well as of liberal tendencies; and, much as Metternich hated liberal principles on their own account, he probably hated them even more as a vehicle of national and racial aspirations.

At first Metternich seemed to have set himself an easy task. The Liberals were unable, in view of the policy of the larger states, to hope for support from the federal Diet. For a time they ceased to identify themselves with the demand for unity, and turned their attention to the formation of political reforms in the states. They were remarkably successful. In one state after another more or less liberal constitutions were established before 1820, and the reaction of the following years had to face much local opposition. But the cause of nationalism seemed to be dead. The more radical reformers derived their inspiration very largely from extra-national sources—from Paris or the exiled Poles. National liberalism began to give way before a republican movement which was cosmopolitan in character, and which was followed by a still more cosmopolitan socialism. When, however, the radical movements in France, England, Belgium, and even in Spain, Portugal, and Switzerland, were merged, after 1830, in a process of national reconstruction, and in the cases of England and France in a vigorous foreign policy, national feeling in Germany revived. Germany also, like England, was coming more and more under the influence of an industrial middle class. The liberalism of this class was intensely national, for it was moved by the desire to establish freedom of trade, systematic communications and transit,

and a common body of reasonable laws throughout the Confederation. In 1840 the danger of a European war brought about by the forward policy of France under Thiers, sent a thrill throughout the land which renewed the spirit of the war of liberation. From this year at least the national Liberal party was a real force in Germany.

Other forces, however, had to be reckoned with. Although men may adopt a body of political principles for various reasons, more or less relevant, they fall under certain intellectual influences by adopting them. They seek to find some justification for their desires in the nature of things. Metternich, for example, had developed a doctrine of legitimacy to explain his conservatism, and a right of intervention to justify his desire to make others conservative. The national stirrings in Germany had provoked such an intense intellectual activity that the national Liberals soon found themselves faced by several rival creeds. The constitutional point of view was too simple to meet the needs of Germany. It had its origin in countries which could look back on centuries of strong centralised government. The experience of England, which was so often referred to by the Liberals, seemed to many German Nationalists to be so unique as to be beside the mark. They learned their creed from their own lawyers, or philologists or historians. Hence, while Metternich was keeping his eye anxiously upon the constitutional party, which desired to turn Germany into a great democratic state, his real enemies were forming their opinions unnoticed. They were also concealed by the political visionaries who dreamed of a great Germany expounding, under the twin leadership of Prussia and Austria, a message of religious conservatism. The new men were not of this way of thinking. Their historians were teaching them that a

healthy selfishness is the lawful motive of every organised state ; their philosophers were teaching them that an organism is by its very nature self-supporting and has its own right to exist ; their philologists made them conscious that the Germans had a great racial tradition behind them, and owed no duty to Slav or Magyar. These were the influences which intensified the national pride of Prussia, drove Austria out of Germany, and scattered the hopes of the constitutional party. After the war of 1870 a great French scholar wrote to an equally great German : " You have raised in the world the banner of a political system based upon race and archæology ; our revolution found a voice for the people."

By 1848, then, there were three great forces at work in Germany, the Conservative, the Liberal, and the spirit of nationality based upon history and race. The conservative principle was centred in the assertion of the powers of the monarchs ; the liberal principle in the idea of a popular constitution. In most of those southern states which had received constitutions, monarchical government was as a matter of fact preserved. The influence of the French constitution of 1814, issued by the restored Bourbon king, Louis XVIII, and the teaching of the more conservative school of constitutional theorists, prevailed over the radical influences. The importance of the German compromise between parliamentary and monarchical government will appear later. It was safeguarded by the maintenance of the various independent states in the federation ; citizens who desired to preserve the individuality of their states soon found that the dynastic interests of their rulers were the best security for its existence. Hence, if they were nationalists, they were monarchists and federalists also.

The chief battle-ground of all these forces was Prussia.

## CHAPTER IV

### PRUSSIA AND THE REVOLUTION OF 1848

THE principles of parliamentary and monarchical government were more evenly balanced in Prussia than they were in any other European state. And—as Prussia is the greatest state in Germany—the course of the conflict between these principles in Prussia decided the fate of modern Germany.

In the rest of the federation the constitutional party had a comparatively straightforward task; it faced clear issues, and either captured the state or more often compromised. The situation in Prussia was more intense. Prussia was the most artificial of states, yet was large enough and was becoming coherent enough to have a national life of its own; the national rising against Napoleon had shown that the king had even more need of his people than the people had of him. On the other hand, Prussian unity had been achieved by the monarchy, and was maintained by the army. In the new nationalism, the king held almost a mystical place as the head of an organised people. All parties were more or less under the spell.

Until the end of the eighteenth century, the government was that of an absolute monarchy. The institutions of the various provinces were abolished or reduced to impotence. The king ruled his scattered territories through his servants, just as he ruled his

army through his officers. But the various provinces had little, if any, sense of their common life. The king, outside his own estates, left the social system untouched. In each province the class distinctions of feudalism remained ; a peasant, for example, was not a citizen of Brandenburg or Silesia, still less of the kingdom of Prussia—he was rather the vassal of his lord, to whom he owed service and who judged him in his court. The burgess was bound by the duties and privileges of his town and guild—he was a burgess and nothing more. The nobility, as they had no civic duties outside their estates, as they paid no taxes, and no longer controlled the policy of the province through the local diets or assemblies, were unable to express provincial or national feeling ; they found new interests at the court and in the army. During this period of “benevolent despotism,” the Prussian state was created, but public opinion in the provinces ceased to exist.

The disgrace of Prussia at the battle of Jena (1806), and the domination of Napoleon, revived local patriotism, especially in the eastern provinces, or Prussia proper. They did more ; they created a Prussian nationality. This is not the place in which to speak at length of the work accomplished by Stein and his colleagues ; but in the marvellous years before 1815 the army was reorganised on the basis of national service, and the old social system was shattered. Stein was a born administrator who was also capable of inspiration. He had been deeply impressed by the successful organisation of France under the Convention during the critical years of the Revolution. He saw two things clearly ; first, that the pedantic “cameral science,” so dear to the German bureaucrat, could be transformed into a great art of political government, which would bind the

Prussian state into a living whole ; and, secondly, that a great civil service must be drawn from and rest upon the people. Stein's predecessors had regarded the state as an external power which kept together the different orders of society ; Stein regarded it as the natural expression of a society of freemen. He took the existing divisions of Prussia, its provinces, districts, communes, and towns ; and he dreamed of working them into a great administrative plan. On the one hand the king and his civil service were to stand, on the other the hierarchy of local councils, of commune, circle or district, and province, crowned by the national parliament. Part of this dream alone was fulfilled ; the peasants were freed and put in the way of acquiring in freehold the greater part of their lands ; the towns were given a democratic government, in which every inhabitant shared as a citizen. Enough was done to win freedom for Prussia and to establish a modern state on the basis of personal freedom. Even during the succeeding years of reaction, the new civil service carried on the purely administrative side of Stein's work with admirable efficiency. In economic affairs, especially, the new spirit found ready access ; long before the demand for a political constitution had become effective, the principle of free trade between Prussia and its neighbours had been established by Prussian ministers. The result was the famous Zollverein or Customs Union, which gradually gave economic unity to the whole of North Germany and did more than any other thing to make the Empire possible.

Yet the great men who had saved Prussia had not attempted to solve the most difficult problems which faced the new state. By the settlement of Vienna, Prussia became the largest German state, with resources



comparable to those of Austria. The future relations between Germany and Prussia had to be defined before the fate of Germany could be known. Was Prussia, as an organised military monarchy, to aim at the exclusion of Austria from the Confederation, and at the absorption of the other states ? Or was it to gain the same end in a different way by merging itself in the larger nationalism of Germany ? Or was there to be a federation under the direction of Prussia, and if so, of what kind ? It is remarkable that Stein's sense of nationality was so vague that he had no clear answer to these questions. He was not a Prussian, and yet had worked for Prussia rather than for Germany. He was an administrator and had aimed at a working settlement between the forces of monarchy and popular feeling. He had not concerned himself with distant consequences. So far as he and his successors dealt with the larger problem of German unity, they seem to have passed from one scheme to another. The negative compromise of 1815 was the result.

In Prussia also there was little certainty as to the future. The natural completion of Stein's work would have been a national constitution and a parliament ; and in 1815 Frederick William III actually promised a constitution. But it is probable that Stein had not clearly faced the fact that a constitutional assembly, with ministers responsible to it, was the logical outcome of his ideas. He had raised a nation and reshaped the civil service, but he had not shown how the national will was to be expressed, and how the civil servants were to be controlled. All kinds of answers were forthcoming. The bureaucrats wished to disregard the idle dreams of Prussian or German nationalism, and to remain under the control of the crown alone. The

conservative romantics desired to restore the old powers of the nobility, to revive the feudal institutions of the provinces, and to inspire the new bureaucracy with the ideal of a new crusade, in which Prussia, at the head of Germany, should stand for social order and true religion. The Liberals, on the other hand, who were partly influenced by English practice, desired a parliamentary constitution, but were not very clear whether this was to be an end in itself, or a means to a united liberal Germany.

Obviously the difficulty lay in the feeling of nationality. Was Prussian or German aspiration to be the stronger? Metternich, as we have seen, forced liberalism to express itself in local effort; and the attempt to shape constitutional instruments within the circle of local influences would inevitably strengthen local patriotism. The great teachers in the Universities had stirred up patriotic feelings against a common enemy, but had not directed them to a definite object. When Fichte spoke of the nation as the embodiment of the eternal, he spoke both for Prussia and for Germany; he wished the organised Prussian monarchy to take the lead, yet he dreamt at the same time of an ideal German republic, bent not upon conquest, but upon the things of the spirit.

Yet the Prussian Liberals were mainly inspired by forces which were not Prussian or, at least, were not confined to Prussia. Some of their leaders came from other parts of Germany. The Rhenish provinces of the kingdom, which took the lead in liberal propaganda, were under the influence of the laws and institutions introduced during the French occupation; and several eastern provinces were drawn in the same direction by the racial ambitions of their non-German inhabitants.

A close observer, who wrote in 1845, noticed that the Customs Union had created problems which, "lying outside the scope of the bureaucracy, had strained the administrative machine and made a change of government necessary. Moreover, the Union had given weight and opportunity to the constitutional influences of the southern states. Finally, some cases of acute industrial distress—the distress which afflicted the whole of Europe at this time—had tended to enlarge the sympathies of the Liberals, and to bring them to an understanding with the cosmopolitan ideas of the republicans.

The value of the philosophical legislation which had reconstructed Prussia thirty years before became apparent at this crisis. In spite of the variety of parties, and the influence of the non-Prussian elements in Prussia, the national unity of the state was unbroken. Some sort of constitution was clearly necessary, but a constitution could only strengthen, it could not weaken, the state. The Crown could no longer keep the state together without help, but it was still the symbol of unity, and any change which strengthened Prussian unity might be used to strengthen the monarchy.

These considerations bring us to the paradox in the history of German liberalism: the constitutional movement in Prussia was inextricably connected with the wider movement in Germany as a whole, yet the more successful it was, the more difficult the work of German unity became. Prussian nationality stood in the way of German nationality.

The crisis of 1848 made this clear and opened the way to a new school of thinkers and statesmen, of whom Bismarck was the chief.

The revolutionary movement of 1848 affected all the German states. It was not merely a constitutional

agitation ; it forced into utterance all the vague racial, national, and socialistic feelings of the European peoples. For a time the Austrian Empire was shattered, and while the various races within its borders were struggling for independence, a racial antagonism to it stirred the revolutionaries in Germany. The national assembly which met at Frankfurt, and, setting the Federal Diet on one side, began to contrive a German constitution, was moved by this as by the other cravings of the time. With infinite difficulty the national Liberals, under the leadership of Gagern, managed to get together a majority in favour of an advanced compromise. Germany was to be a federal state as of old, and so was to maintain historic traditions ; but the central parliament was to be democratic, elected by universal suffrage, exercising control over ministers, able to override the temporary veto of the sovereign. The new federation was to be German—that is to say, it was to have the same limits as the old federation, including the German provinces of Austria, but it was to be so strong in its new unity that the supremacy of the Austrian Empire could no longer be possible. A German head, who should express the German and unified character of the state, might be found, it was hoped, in the King of Prussia.

Frederick William IV of Prussia refused the crown of Germany, and the Frankfurt assembly immediately fell to pieces. The causes of his refusal deserve careful attention, for they illustrate the difficulties which stood in the way not only of a liberal but of any German federation.

The character of the King of Prussia was probably the most important factor in German politics at that time. Frederick William IV was not endowed with a powerful or constructive intellect ; but he was so full

of prejudices and of romantic generous instincts that it was impossible to hurry him or to drive him. His nature was to test all proposals by reference to precedent, to suspect all changes which did not accord with his ideal of harmony between prince and people. He felt very keenly the need for the affection of his subjects, but he could not understand why they did not see the problem of the present, as he did, through the spectacles of the past. He believed in the necessity of political institutions through which ruler and ruled might work together for the common good; but he believed also in the divine right of the Prussian monarchy, in the rights of the various German states and of their rulers, in the essential distinction between political and non-political classes, and in the claim of Austria to the respectful deference of all Germans. Hence he alternately roused the affection and suspicion of his subjects and neighbours; he was by turns confident and irresolute, constantly thwarting hopes which he had himself created. When German unity was in the way of being realised, Frederick William was keenly interested in the attempt, tempted to accept the leadership, but fundamentally opposed to the plan which was finally placed before him.

If the constitutional party had been united throughout Germany, the King of Prussia would probably have been forced to surrender to the assembly of Frankfurt; but being composed of various elements, it delayed its deliberations long enough to allow the reactionaries to rally. Frederick William and his advisers were enabled to play off the Prussian against the German constitutionalists. The Revolution of 1848 produced a Prussian constitution which, by a most curious and interesting progress of events, became the chief bulwark

against the advance of German democracy. The German emperor is still entrenched behind it as King of Prussia, and is able in virtue of the authority which it reserves to him, to withstand the demand of the democratic parties for full parliamentary government in the Empire as a whole.

The history of Prussian, as distinct from German, constitutionalism may be said to begin with the accession of Frederick William IV in 1840 and to close with Bismarck's great success in 1866. It comprises two critical periods, the one lasting from the spring of 1848 to the beginning of 1850, the other lasting from 1862 onwards. During the first crisis, the hopes of the German national Liberals were destroyed; during the second Bismarck became first minister and successfully maintained the independent rights of his master, King William I.

The Prussian Constitution was distinguished from that desired by the German Liberals in being granted by the king, and not wrested from him. In this it resembles several of the constitutions granted by other German sovereigns after 1815. At his accession Frederick William IV had made it known that he intended to fulfil the promises made in 1815, but when, in 1847, after long and tiresome delay, he did expound his plan, he simply restored the old provincial assemblies and formed a central assembly or United Landtag by bringing them together in a parliament of two houses. This plan had in his eyes all the merits of the medieval system; it provided for the co-operation of king and people, but the dangerous element in the popular will was checked by the provincial divisions into classes; the new assembly possessed very limited powers and was entirely dependent for its meetings, and indeed for its existence, upon the king. The constitutionalists regarded it as

a money-granting machine which in no way deprived the Crown of full sovereignty. Hence, when the revolution broke out a year later, Berlin was affected by the popular enthusiasm no less than Paris or Vienna. Frederick William was forced to promise a constitution of a more modern type. A national assembly was summoned, and a long series of negotiations and debates began upon the future Prussian state. These discussions lasted until January 1850. First, a powerful ministry which saw the folly of reaction and passive resistance to the new ideas was formed under Count Brandenburg. The Assembly was transferred from the influence of the Berlin populace and afterwards dissolved. In the next place the king was persuaded to issue a constitution on his own initiative on 5th December 1848. This act had most important results. It showed that the king was willing to keep his promises, while it limited the royal power only so far as the king desired. The problem of sovereignty was not raised. Moreover, the act of December showed that the new ministry had declared itself against the Frankfurt assembly. Prussia was to remain a unity, and was to remain strong. There was to be no more talk of merging Prussia in a democratic Germany. As the correspondence of the time is studied, it becomes more and more clear that the *octroyierung*, or promulgation of December, meant the end of the popular movement in Germany. Count Brandenburg and his colleagues were clear-sighted enough to see that the moderate and conservative elements in Prussia could be trusted. They were bold enough to compromise. The devotion to the Crown as the symbol of Prussian unity returned. All the elements, including the Catholic Church, which feared the work of the Frankfurt assembly, rallied to

the ministry. Prussia retained the right to work for German unity in her own way and on her own terms.

The decree of 5th December was only the beginning of the struggle. The details of the constitution had yet to be discussed; and, as the reaction won its victories throughout Europe, Frederick William became increasingly hostile to the moderate scheme which was prepared by the ministry of the new Diet. At last, however, in January 1850, he took the oath to maintain the Constitution, which is still in force. In spite of his previous objections, he allowed "a piece of paper" to lie between himself and his people.

The Prussian Constitution is a curious mixture of ideas and influences. It lays down abstract rights in the manner of French revolutionary documents, and seeks to safeguard them by copying English institutions. The legislative assemblies show the influence of the older system of estates as well as of the early nineteenth century constitutions of Belgium and of other countries. Yet the chambers are in reality so composed as to protect the principle that the sovereign rights of the king are not limited, but rather directed by the constitution. The first chamber or upper house, for example, is composed partly of the landed aristocracy, partly of persons nominated by the Crown, and was thus from the first obedient to the direction of the Crown. Again, by the electoral law of 1849, the second chamber represents the filtered and not the direct opinion of the electorate. The electoral law was promulgated during the first months of the reaction. By it universal suffrage was retained, but the division of the electors into three classes gave the real voting power to those citizens who were least likely to oppose the Government. The aggregate wealth of the electors in each district is, according to this scheme,



assessed, and the voters are arranged upon the lists in the order of their wealth. The first electoral class is composed of those whose aggregate wealth amounts to a third of the total wealth, the second class of those next upon the list whose aggregate also amounts to a third, and the third class of all the remainder. Each of these classes then nominates an equal number of electors to an electoral college, which chooses the member for the division. Hence the electoral college contains men who may represent the views, some of a dozen, others of several thousand voters.

The full effect of this electoral law has not been realised until our own day, when the growth of large cities inhabited by a poor radical proletariat has become an increasing danger to the traditional structure of society. It explains the fact that, while in the Reichstag or imperial assembly, a Social Democratic party is rapidly growing, socialism has an insignificant place in the Prussian parliament. During the period of the reaction, after 1850, the king and government of Prussia relied rather upon the first chamber and the bureaucracy to check any further advance by the Liberals. Most of the reforms which would have strengthened the constitutional party and continued the work begun by Stein—such as the organisation of the rural commune or the withdrawal of powers of police from the lords of the manors—had been left over for future settlement. No settlement was reached. A combination of conservatives, of bureaucrats and of the “high and dry clergy of the Lutheran church,” uneasy and vacillating combination though it was, succeeded in checking all further advance. The deputies, in spite of the eagerness and intelligence of many, could do nothing in the face of the court, the upper house, and the local gentry.

A change came in 1857. Owing to insanity Frederick William ceased to rule during the last four years of his life, and was replaced by his brother William. William, after a regency of four years, became king in 1861. Welcomed at first as an ally of the Liberals, he soon realised the essential differences which prevented an alliance between king and parliament in Prussia. His character admitted no hesitation ; and he found a new ally in Bismarck.

## CHAPTER V

### KING WILLIAM I AND BISMARCK

THE achievement of German unity is closely connected with the second great crisis in the history of the Prussian Constitution. This crisis, which came to a head in 1862, ended in a victory for the Crown, and emphasised the peculiar relations between the parliament and the executive. In England the theory of popular sovereignty has acquired some validity both in fact and in law; in Germany, and especially in Prussia, the pressure of history, as we have seen, has been on the side of monarchical sovereignty.

In practice sovereignty is, of course, distributed both in England and in Germany. The difference between the two states is one of emphasis. When we say that a theory of popular sovereignty defines the facts or has won expression for itself in England, we summarise a complicated set of circumstances. The most powerful force in England is, upon the whole, the body of elected members of parliament, who expound the preponderating wishes, cravings, passions, and prejudices of the electors. At the same time, various other forces, which may be said to possess sovereignty, exercise their power by the hold which they have upon the electors and the elected. Reverence for law and custom, religious belief, respect for the dignity and influence of certain social classes, obedience to the influence of

wealth, direct the votes of Englishmen no less than self-interest, reasoned convictions, or philanthropic motives. Yet there is a general agreement or moral sense, which identifies the State with this form of democratic government. It is felt that the consciousness of nationality is satisfied, and that the well-being and unity of the kingdom are safeguarded. Although some thinkers regard it as a mere convenience, and a few see nothing in it but a temporary eccentricity, the great majority feel that popular sovereignty of this kind is the imperfect expression of an ideal form of self-government to which all healthy nations must aspire. In Prussia, on the contrary, the general moral sense is in favour of the Crown. The belief in parliamentary institutions is probably as widespread and as intelligent in the one country as in the other. But in Prussia, although sovereignty is diffused as it is in England, it is so exercised as to maintain the authority of the central government, apart from the authority of parliament. As in England, all sorts of influences play upon the king and his ministers, from parliament, from the press, from various schools of thought, but the Crown is still the centre of political power. Rightly or wrongly the Prussians have always refused to carry constitutional strife as far as civil war. From 1862 onwards what has been described as the spirit of old Prussia supported Bismarck through the various stages of his policy, and gave unity to his measures.

The monarchical theory of the Constitution was expounded with some felicity by King William I in a conversation which he had with the King of Bavaria in 1860. At this time William was still regent, but the principles which then inspired his rule were characteristic of his whole life. "Having found a Consti-

tution, I consider it my duty to conform myself to it and not to falsify it by unnatural interpretations. I have lived long enough in the proximity of government to convince myself of the evil which resulted from the system pursued by the late ministry." He was not concerned, he continued, to say whether a Constitution was conducive to the well-being of a nation, but only to express the conviction that, where it did exist, "the idea of making the measures of the government public, and of calling the people to a legitimate participation of the legislation, had penetrated into all minds, and that in such a case, it would be the height of danger to put oneself in contradiction to a feeling of this nature, as such an opposition would be equivalent to placing on a formal record the distrust of the sovereign towards his people. Upon the same ground of distrust, it was my opinion, that *it was a false policy to seek the security of the throne in the limitations of the Constitution*; . . . security of government consisted in the wise alternation between tightening and loosening the reins of government. I had made up my mind to rule in this sense, and on this ground I had granted a free movement in the constitutional sense, but in doing so *I fully intended to guard against letting the reins fall altogether out of my hands.*"

This passage illustrates the honesty and directness of the great king; it also explains the cause both of his hostility to his brother's ministers and of his later quarrel with the Liberals, who were his allies in 1860. William was more of a Prussian than his brother, and also more of a realist. He desired above all things to see Prussia one of the great states of Europe, and he saw that, in their determination to stultify the Constitution of 1850, his brother's advisers had alienated the

people and done nothing to increase the prestige of their country. The alliance between the bureaucracy, the squires, and the orthodox Lutheran clergy was, in his view, anti-national, because it maintained a spirit of caste and depended for its existence upon the maintenance of the old social and provincial divisions. When he came to power, William, as regent, formed a ministry from the right wing of the Liberal party in Prussia. He hoped in this way to rally to his side and to the cause of Prussian greatness, general public opinion. The ministry was composed of men who believed in strengthening the army, in taking an independent line in European affairs, and in using Prussia to advance the cause of German national unity. They were devoted to the Crown rather than to the Constitution, but realised that modern society needed constitutional expression and could not be driven by the romantic and reactionary notions of the Holy Alliance. The regent could also hope for support from the older and more democratic section of the Liberal party, which was led by the younger Vincke, the great son of a great father. Vincke desired to carry on the work of Stein in an English fashion; he believed that the genius of the German peoples was best developed under institutions of a British type. Although he went a great deal further than the regent was ever likely to go, his eager desire for the free development of Prussia had caused him to oppose the foreign no less than the domestic policy of the reactionary ministers of Frederick William IV, with a patriotic severity worthy of William himself.

It was, however, the urgency—in the royal mind—of foreign policy which soon broke down the understanding between William and the Liberal majority in the Prussian Diet. As in 1848, the Prussian and German

aspirations of the Parliament were opposed to those of the Court. From 1859 to 1871 the domestic and foreign history of Prussia, and of the German states generally, can only be understood if it is considered as a whole.

**Prussia and Europe, 1850-1859.**—There was one great difference between the reaction which followed the revolution of 1848 and that which followed the war of liberation in 1815. In the earlier period Prussia was one of the victorious powers and had taken the lead with Austria and Russia in a policy of repression ; but the reaction which began in 1850, agreeable though it was to several elements in Prussian society, had involved Prussia in much humiliation. After the failure of the Frankfurt assembly and the successful assertion of the Crown in the constitutional settlement at home, Frederick William IV had tried in 1849 to carry on the work of German unity in his own way. He was ambitious to settle the German question on his own romantic lines, his ministers were glad to have an opportunity of asserting themselves in Europe, and the disappointed National Liberals under Gagern were willing to join forces with him. He summoned a new national parliament to meet at Erfurt for the discussion of a new Constitution. Bismarck was fond of contending later that if the king had mobilised his troops at this time as a guarantee of the smaller states against Austria, he might have taken the lead in Germany. The smaller states trusted him, for Prussian troops had largely assisted in saving their Governments from Radical and Socialistic rebellion. National feeling was at this time roused on behalf of the duchies of Schleswig and Holstein, which were trying to dissolve their historical union with Denmark. Federal troops entered the duchies in their behalf, and Prussian sentiment was strongly in accord

with German feeling. Austria was embarrassed by the Hungarian revolution. Prussia had never before had such a good opportunity of asserting a practical and moral claim to supremacy in German affairs. The kings of Hanover and Saxony and about twenty-seven of the smaller states were ready to support Frederick William. Rightly or wrongly, the king allowed the opportunity to slip. His "medieval mind" was occupied with scruples and perplexities about the rights of his German allies. "His scruples as to whether matters were ripe," says Bismarck, "were nourished by his historical investigations." He desired, also, to be magnanimous to Austria, and to the small states. Austria, in the meantime, crushed the Hungarians with the aid of Russian troops, and immediately detached Hanover and Saxony from Prussia. The four kings of Hanover, Saxony, Bavaria, and Württemberg formed a league for the protection of their own interests, and put forward a new scheme for the union of Germany. The tables were completely turned. Schwarzenberg, the chief minister of the new Emperor of Austria, successfully insisted on the restoration of the Diet and on the acquiescence of Prussia. The Prussian minister, Manteuffel, made terms at Olmütz, in Moravia, which were in effect a surrender of all Frederick William's schemes. When the young Bismarck was sent to represent his country at Frankfurt he found that Austria was again supreme in the Diet.

The success of Austria, it is important to note, had been achieved with Russian aid. The Russian Government was especially interested in the future of Schleswig-Holstein; it desired to see Germany weak and disunited, and to check any manifestation of national feeling on behalf of the outlying territories. It realised, as Bis-



marck realised later, that a national Germany was most likely to grow out of co-operation in a national or racial cause, not out of democratic speculations. It intervened, therefore, in favour of Denmark; and during the next fifteen years the duchies became, like the Balkans, a European question. The joint action of Austria and Russia in 1850 made it clear that the German unity could only be attained through a European war. The new National Liberal party in Prussia, and the military policy of William I, both had their origin in the surrender at Olmütz. During the eventful ten years between 1850 and 1860 the desire for a strong Prussian policy grew in all quarters. They were very important years also in the history of Bismarck. First as Prussian delegate at Frankfurt, then as ambassador to St. Petersburg, he watched events and realised where the opportunities of Prussia would occur.

The Crimean war gave the first opening. Russia's forward policy against Turkey was opposed by England and the government of the French Emperor Napoleon III. Austria, in spite of her great obligations to Russia, decided that an understanding with the western powers would promote her interests in the Balkans, and, without actively intervening in the war, threw the weight of her influence against Russia. Bismarck was eager for an understanding between Russia and Prussia. Although his advice was not followed and the Prussian ministers hesitatingly followed the lead of Austria, the Crimean war did actually open the way for a strong independent policy in the future. The indirect consequences of this unnecessary conflict were extraordinarily important. The position of every European power was changed, for the diplomatic activity of Austria during the crisis definitely and finally shattered the

Holy Alliance of the great eastern states. The Russians never forgave Austria, and, deprived of Russian support, Austria suddenly found herself faced by a powerful conspiracy against her in Italy. Prussia, on the other hand, was free. Feeble and hesitating though her policy had been, she had made no new enemies. It was known that the possibility of a Russian understanding had been discussed.

Hence the struggle for Italian unity in 1859 gave a second opening to Prussia. In one sense this opportunity also was lost. The Prussian army took no active part, and no immediate response was made to the demand for a national constitution in Germany; but just as Prussia gained freedom of action during the Crimean war, so she did much to strengthen her position in Germany during the Italian war. This result was due to the regent.

The Italian war grew out of a secret alliance between the Emperor Napoleon III and the King of Sardinia. The latter was lord of Piedmont in north-west Italy and of Savoy and Nice on the other side of the Alps. Under the direction of Count Cavour—as great a statesman as Bismarck himself—this little state had within the last few years assumed a prominent part in European affairs. In order to win the recognition of the powers, and especially of France, Cavour had sent troops to the Crimea. At the congress of Paris after the war he not only obtained a recognised place, he also denounced the subjection of Italy to Austria. Within a few years he succeeded in driving the Austrians out of Lombardy, and, with the unofficial help of Garibaldi, in making his master, Victor-Emmanuel, king of the greater part of Italy.

Now this startling success had two immediate results

north of the Alps. In the first place, it stirred a new wave of desire for German unity; in the second place, it revealed the Emperor Napoleon III to be the most powerful and also the most dangerous man in Europe. This is not the place in which to explain the motives of Napoleon's policy against Austria or to show how he was outwitted by Cavour. It is sufficient to say that after the war he was generally regarded as the maker of a new kingdom, and was generally suspected because he had first deserted Piedmont during the struggle and afterwards added Savoy and Nice to France as compensation for the creation of an Italian kingdom. His antagonist was a great German power; his support of Italy had encouraged the demand for German unity. Everybody waited to see whether he would pursue a similar policy among the German states, and if so, what his price would be.

Since the commencement of war Germany had been in a ferment. The racial feeling which had been roused against France in 1840 awoke again at the attack of Napoleon upon Austria. Several of the greater states, including Bavaria and Saxony, desired to see a military advance to the Rhine, and speculated upon the future restoration of Alsace to the German federation. Austria was anxious for German support, yet unwilling to see Prussia take the lead. On the other hand, the success of the Italians was followed by the formation of national societies in Germany. The Liberals were encouraged, and, indifferent to the fate of Austria, hoped that the Regent of Prussia would seize the opportunity which his brother had missed in 1849. Bismarck and the realistic Conservatives similarly thought that the chance had come. It is significant of Bismarck's elasticity and prophetic of his future policy as minister that he was

prepared to see an understanding with France, and to seize the duchies of Schleswig and Holstein for Germany. Knowing the rankling suspicion which the Russian Government entertained of Austria, he thought that the German states could afford, in the strength of German public opinion, to disregard both Russia and Austria, just as a few years earlier he had been anxious to play off the one against the other. Surrounded by all these conflicting hopes and counsels, William chose his ground cautiously. He refused to take advantage of Austrian weakness, but he also did not hurry to attack France. The Prussian army advanced towards the Rhine, but so slowly that both France and Austria were able to come to terms before any military demonstration had been made. Napoleon withdrew from the war at Villafranca, and the Austrian Government agreed to surrender Lombardy to Piedmont. William had acted with great wisdom if with somewhat inglorious caution. He knew that the armistice of Villafranca had been made by Austria through fear of his intervention; he was soon to find, if he did not already know, that Napoleon would try to bargain with him for the addition to France of some of the Rhenish provinces of Germany in return for French aid. If, in other words, he had actively supported Austria, he would have become the tool of a suspicious ally; if he had allowed himself to be drawn into a French understanding, he would have been execrated as a traitor to the cause of German unity. As things stood, he had shown himself prepared to maintain the integrity of Germany, yet he had not compromised his freedom of action. It is characteristic of the man that when in 1860 he met the Emperor Napoleon at Baden he insisted upon the presence of all the chief rulers of Germany, and made it clear to

them that he would permit neither any surrender of German soil to France nor any interference with their individual rights.

William's position, however, is not sufficiently clear if we fail to note his attitude to the rising demand for a German Constitution. The regent, though much more clear-headed and practical than his brother, was still in 1860 under the influence of the recent traditions of his house. He was unwilling to face the necessity of conflict with Austria, and he was eager to repudiate any intention of interfering in any way with the territorial division of Germany. This negative attitude was doubtless very honourable to him, but it was inconsistent with any attempt to revise the German Constitution. At this very time he tried in vain to carry a military programme through the Federal Diet. It is difficult to see how he could move a step in the direction of a vigorous Prussian policy without interfering with Austrian influence or with the settlement of 1815. It was essential that he should either follow the lead of his Liberal friends or pursue the policy which Bismarck afterwards mapped out for him. Yet he and his ministers rejected all the schemes for a German Constitution which, at this time, were brought before him (notably a plan which originated in Baden and Coburg); and, at the same time, they produced no alternative to the vacillating policy of their predecessors.

The parliamentary crisis of 1862 forced the king, as he now was, to make a choice.

#### **The Prussian Constitutional Crisis ; The Army Law.—**

We have seen that the cause of the cautious and negative policy of Prussia during the Italian war was the inconsistency between the Liberal aspirations which the Italian successes aroused and the traditional desire to maintain the unity of the German states under the joint

leadership of Austria and Prussia. Although King William had cleared the air of much vagueness, he had not decided upon a definite policy for the future. He was clear, however, upon one point—the vital necessity of a reconstituted Prussian army. When he found that the Federal Diet put difficulties in the way of a joint military policy, he concentrated still more earnestly upon his Prussian plans. There were several reasons for this intensity of purpose. William was primarily a soldier, and was naturally drawn amidst his political perplexities to lay stress upon the thing which he thoroughly understood. Again, in the period of his opposition to his brother's ministers he had realised the dependence of Prussia upon European affairs; this fact was made very clear to him during the Crimean war, when France took the leading place in Europe. The apparent energy and decision of the Emperor Napoleon, the dashing qualities of the French troops, the excellence of the French artillery, and the military traditions of French policy profoundly impressed him. "In order to comprehend the European policy at this period," says a French historian with truth, "it is essential to remember the extraordinary prestige which memories of the First Empire and the Crimean victories lent to our regiments." William desired to make the Prussian army a match for this dangerous force; and he had every reason to hope that the whole of Prussia would be with him.

At the elections of 1858 the Liberal party under Vincke had at last gained a majority in the Prussian second chamber. Although Vincke and his friends were not in office, they supported the new ministry of progress, and in its turn the ministry co-operated with the chamber in taking up the reforms which had been promised for so long. Both as regent and as king William realised

that the formation of a national, as distinct from a feudal, Prussia must go further. He acquiesced in, if he was not enthusiastic for, the Liberal programme for the reform of the rural administration, the abolition of manorial privileges in regard to the police and exemption from the land tax, and for civil marriage. The ministers and the Diet were at one with him also in the desire for army reform. The Liberals were, like all parties in Prussia, attracted by the idea of making Prussia a first-class power, and for the sake of their programme were anxious to compromise with the ministers on disputed details. A national settlement seemed an easy task.

When, however, the future of the army was discussed, all the questions of principle which lay hidden in the Prussian Constitution were raised again. On the one side, men remembered that a national levy had been the instrument of national revival in 1813: the army was the people in arms. On the other side, the king assumed as a matter of indisputable fact that he was the legal head of any Prussian army: his ancestors had *made* the Prussian state by means of their army. The ministers proposed a plan<sup>1</sup> which, as expressing the royal will, was to be accepted as final, yet which included none of the reforms demanded by public opinion. The Liberals prepared a scheme which incorporated the desired reforms and provided for an increase in the number and strength of the army on the existing basis of a national levy. The weakness of the constitutional compromise was seen at once. No scheme could be put into operation without money; the Diet alone could grant supplies; the king insisted that he alone was responsible for the army. The dilemma was a real one, for the ministerial plan involved a thorough reconstruc-

<sup>1</sup> The struggle began in 1860, when William was regent. His brother, King Frederick William IV, died in January 1861.

tion of the army and increased the importance of the professional element at the expense of the old national element or *Landwehr*. The opposition very reasonably urged that they had a right to discuss a plan which involved the personal relations of every Prussian to the army. For the time a deadlock was avoided by the grant of additional supplies for the army for one year. The Government immediately used the money to carry out its own scheme and—availing itself of a legal right to levy existing taxes—treated it in future budgets not as an extraordinary but as an ordinary and permanent part of the revenue. In 1861 and again in 1862 the electors, thoroughly aroused, sent a large majority back to the Diet, definitely opposed to the royal plan.

The dispute was not merely about technical details ; it was of a serious political nature. By 1862 King William had been driven to assert the principle of absolutism in its naked form. He had honestly tried, so he felt, to work the Constitution ; but he was legally the head of the army (*Kriegsherr*), and if his claim was disputed, he was justified in tightening the reins of government, and in appealing to his supremacy over the Constitution and the law. The Constitution had been granted by his predecessor ; the statute-book was composed of decrees which he and his ancestors had sanctioned ; but in no case had his sovereignty been diminished. In cases of emergency—nay, even in the usual course of affairs—the king could take away or suspend what he had granted. Thus, fortified by the identical arguments which had destroyed the house of Stuart, William went forward with his new army, in defiance of his own people, to the conquest of Germany. In 1866, victorious in the war with Austria, he was reconciled with his people and absolved by his parliament.

During these years the real ruler of Prussia was Bis-



marck. The king had entered upon the contest with other advisers. A Conservative element had remained in the ministry since his accession as regent, and he was surrounded by men of anti-Liberal tendency. The new minister of war, who was responsible for the details of the army law, was von Roon, Bismarck's old fellow-student. It is clear from von Roon's own statements that he regarded the reconstruction of the army on a professional basis, and the destruction of the Landwehr, as important for political no less than for military reasons. By this means the king would have an instrument which enforced his own will and did not reflect public opinion. Before the end of 1861 every Liberal had left the ministry. The king, in 1862, was left face to face with the opposition. As the months passed by the tension became more and more acute. William decided to abdicate. The letter of abdication was already written when he at last summoned Bismarck to his counsels and decided either to win or be destroyed. He was depressed and animated by turns, now encouraged by the boldness of Bismarck, now cast down. "I can perfectly well see where all this will end," he said, after one of the minister's earliest speeches in the Diet. "Over there, in front of the Opera House, under my windows, they will cut off your head, and mine a little while afterwards." His thoughts constantly ran upon Strafford and Charles I. Bismarck made it his task to strengthen in him "the part of an officer fighting for kingdom and fatherland."

**The Views of Bismarck in 1862.**—For a few months before his appointment as first minister in September 1862 Bismarck was Prussian ambassador at Paris. The Duc de Persigny, Napoleon's minister of the interior, relates in his memoirs a conversation which he

had with Bismarck upon Prussian affairs. The duke perhaps exaggerates the value attached to his advice, but the conversation brings out clearly the difficulties of the political situation. Bismarck explained that the Liberal party in Prussia threatened the prerogatives of the Crown and desired to disorganise the army; if it succeeded, he was certain that his country was ruined; yet, on the other hand, the Liberal party was very strong in Prussia and Germany, and on this question had public opinion behind it. Persigny replied that if the various classes in Prussia were, like the English, accustomed to political warfare and were likely by mutual concessions to restore the political balance in periods of crisis, he would advise the king to follow boldly a constitutional way of government. But he understood that, as in France during the Revolution, the Prussian liberals were carried away by their unfortunate illusions; under the circumstances the king must take warning from the mistakes of Louis XVI and Louis Philippe, and depend upon his army. The Prussian constitution itself gave him a great advantage over other rulers, for in time of crisis he was legally entitled to raise the budget of the previous year without a further grant by the chambers.

In the spirit of this counsel Bismarck carried through the changes in the army and disregarded the Prussian Diet. He persuaded the king to desist for the present from any attempts at concession, even on other points. "I succeeded in convincing him," he wrote in his *Reflections*, "that, so far as he was concerned, it was not a question of Liberal or Conservative of this or that shade, but rather of monarchical rule or parliamentary government, and that the latter must be avoided at all costs, if even by a period of dictatorship." But Bismarck was very

conscious that he could only succeed if he won the confidence of his fellow-countrymen by the pursuit of a vigorous national policy. His speeches in the Diet and his conversations with the king were directed to this end. He at once began to define more sharply precisely those objects of Prussian policy which King William had left in cautious obscurity.

He differed to some extent from all the Conservative views—from the dynastic policy of the king, the uncompromising Nationalism of the Junker party of the country gentry, and the visions of the idealists or romantic Conservatives. He was, like his master, a Prussian heart and soul, but he was more interested than William in the task of German unity. William was a patriotic German who desired to combine the interests of the German states; Bismarck was intent upon the great work of federal reconstruction. He no longer believed in the Federal Constitution of 1815, and he despised the Diet. He was a born administrator; in his view Prussia should force a revision upon Germany and where necessary disregard inconvenient or artificial barriers. He did not agree with William that Prussia should not seek to combine her frontiers by absorbing the states which separated her provinces; nor did he agree that the German dynasties had unchangeable rights. Dynasties, it is true, were essential to Germany; they made German patriotism active and effective; “the key to German politics was to be found in princes and dynasties, not in publicists, whether in parliament and the press, or on the barricades. . . . So far, however, as dynastic interests threaten us once more with national disintegration and impotence, they must be reduced to their proper measure.” In particular, Austria and the dynastic interests of the house of Habsburg must go.

In consequence of these convictions he did not altogether agree with the high and dry Conservatives from whom he had sprung and with whom he had generally co-operated. His monarchical sentiments were innate. As a schoolboy, he says, "to my childish ideas of justice Harmodius and Aristogeiton, as well as Brutus, were criminals, and Tell a rebel and murderer." He was repelled, as a student, from the *Burschenschaften* or National Liberal clubs, by the want of breeding of their members. But, as he became acquainted with political life, he was equally annoyed by the red tape of the bureaucrats and by the stupidity and shortsightedness of the Junkers. He realised that the National and Liberal—even the Socialist—movements of the age had much in common with his aspirations. The Liberals were material to be used in working up national enthusiasm, whether in Prussia or in Germany as a whole; the Socialists held some just notions of statecraft. It was not, certainly, by appeals to Liberal sentiment that Prussia would take the lead in Germany—the events of 1848 and 1859 had made that clear. There must be no "shameful union with democracy." Yet Bismarck felt that democratic tools were by no means useless. Prussia was about to fish in troubled waters, and the waters had been troubled by the new national movement. Germany was conquered by Prussia in 1866, but—as M. Denis has remarked—the conquest was to some extent imposed upon her by the imperious impatience with which the great mass of enlightened men demanded a radical revision of the Federal Constitution of 1815.

Lastly, Bismarck as a realist had no sympathy with the sentimentalists. His point of view was justified not by domestic but by foreign circumstances. He saw Prussia surrounded by three great military powers—

France, Austria, Russia. We have seen how he anticipated war with Austria and was prepared for understandings with France and Russia. We shall see that he made a temporary alliance between Austria and Prussia the cornerstone of his policy between 1862-5, not because he shared the view that Austria had any longer a moral claim upon Germany, but because he desired to show a firm front on the question of the duchies. Similarly, in spite of the horrified protests of Gerlach, he welcomed a commercial treaty with the arch enemy of legitimacy, Napoleon III. Bismarck, in other words, expressed the views of the new historical school. His blunt phrases translated the teaching of philosophers and historians. "The only sound principle of action for a great State is political egoism." It must be remembered, on the other hand, that his realistic outlook enabled Bismarck to recognise strength and health wherever they were to be found. If he had a contempt for the impractical, lighthearted confidence of the ordinary Prussian Liberal, he gradually became very much alive to the need of basing the State upon new foundations. He was a trained diplomatist, and an unscrupulous intriguer, but he had no illusions about the shams of the diplomatic game. He knew that in the end he was but the servant of a great people, which was slowly learning what it is to be a nation.

## CHAPTER VI

### THE CREATION OF THE EMPIRE

WHEN Bismarck became first minister, he found himself faced by an Austrian proposal for the revision of the German Constitution. Since 1859 one scheme after another had been suggested, first by Baden, then by Saxony, and finally by Austria herself. The motives of Austria were simple. The old policy of controlling German official opinion through the Federal Diet could be pursued no longer after Austrian failure in Italy and the revival of German Nationalism. The Liberals in the German provinces of the Austrian Empire had also to be considered. Hence the Austrian Government suggested a closer form of union, by which greater powers were to be given to the Diet, and a second chamber of delegates from the various states was to be established. The Austrians at the same time demanded that they should be admitted into the Customs Union (*Zollverein*) which Prussia had gradually formed with the German states during the preceding fifty years. Ever since 1849 the *Zollverein* had caused friction between Prussia and Austria; it had maintained a unity of interests between Prussia and her neighbours to the exclusion of Austria. The latter now saw an opportunity of strengthening her position in Germany by proposing a great work of commercial and political reconstruction under her leadership.

The Austrian scheme was impracticable, even if it was serious, because it would have maintained the

Austrian control of German politics. In Liberal as well as in dynastic circles there was a hopeless divergence between the Austrian and the German point of view. The German Liberals wanted a strong national state; the Austrian Liberals had, like all Austrians, to consider the relations between Austria and Hungary. Moreover, the Austrian plan, although it sounded democratic, did not provide for a national assembly, but for an assembly of state delegates alongside the Federal Council or existing Diet. These delegates would presumably be elected in various ways in the different states, and would have a local rather than a national standpoint. There was no certainty that the new Diet would not continue to interfere, as the old Diet had done, in the constitutional problems of the various states. Now, nothing had angered the German Liberals, and many other Germans, so much as the interference of the Federal Diet in these questions. A glaring example in very recent times was the part taken by the Diet in the dispute between the Elector of Hesse and his people. The Liberals desired either a simple national state or a national state which would define the rights of the separate states once for all and deal with national questions through a national parliament. So far as the objection to interference went, Bismarck agreed with them. He dissuaded King William from attending the Congress of Princes which Austria had summoned to consider the situation. He was, so he said, willing to co-operate in a plan which would reform Germany under "a dual apex"—that is, make Austria and Prussia equal. But the Austrian scheme did not secure a balance of power, and it was opposed to the spirit of German nationality. No doubt, he said, Prussia could get federal decisions to have her Constitution revised in favour of the king, in the same way

as the rulers of Hanover, Hesse, and Mecklenburg had done, but she would thereby "close the road to German nationality." Bismarck realised already that the new era would force Prussia to act, and he was determined to move in his own way. He therefore kept clear of the Congress, and instructed the Prussian minister at Frankfurt to mark time. The Congress came to nothing; the Diet did not proceed with the Austrian plan; and Bismarck allowed the impression to prevail that Prussia was in favour of a more drastic scheme. At the same time he began in conversations and despatches to make it clear that he recognised no moral duty towards Austria. His policy was one of interests. It had been customary to allow Prussia a free hand in her policy of a Customs Union, just as Austria had represented German interests abroad. In other words, Bismarck frankly stated the view that Austria was not concerned with German domestic affairs. His actions soon showed that in external policy also he would follow his own path.

A strong-willed statesman of less disciplined mind, Lord Palmerston for example, might have made the mistake at this stage of quarrelling with Austria. But Bismarck was not like Palmerston. He had the remarkable gift, when he liked, of analysing and discussing a situation frankly without conveying a threat. In 1863 Prussia was still isolated. All that Bismarck had done was to state that he regarded Austria from the same detached standpoint as he regarded Russia or France. As it happened, he had need of Austria and Austria was not ready for another war. Before Prussia could move a thorny question in the north had to be settled. Just as Austria had a hostile Italy at her back, owing to the fact that Venice was still an Austrian province, so Prussia had a possibly hostile Denmark at *her* back,



owing to the dispute about the duchies of Schleswig and Holstein. Indeed the danger to Prussia was the greater. If Prussia began to take the lead in a national movement, the national desire to help the duchies would at once awake ; but the status of the duchies was protected by the great powers of Europe—England, France, and Russia. Prussia would have to face these powers as well as Denmark.

The duchies of Schleswig and Holstein occupy the southern part of the peninsula of which Jutland forms the northern part. Holstein, the southern duchy, has always been part of Germany, Schleswig has not. In 1815, consequently, only Holstein became a member of the confederation. The duchies, however, have been politically united since the fourteenth century. Holstein, the most populous, is altogether inhabited by Germans ; and Germans are in a considerable majority in Schleswig. They have institutions, customs, language in common ; and in the fifteenth century, when their duke became King of Denmark, their independent rights were guaranteed by their famous charter. They regarded themselves as distinct from Denmark and as inseparable. On the other hand, it was natural for the kings of Denmark to consider that their long rule over both the kingdom and the duchies had established an indissoluble unity between them. In 1660 the crown of Denmark became absolute and had an additional motive for breaking down the privileges and independence of the duchies. The kings in fact regarded the duchies very much as the Russian government of to-day regards Finland. In the early nineteenth century the inhabitants found some relief. The kings of Denmark were of German rather than Scandinavian sympathies, and were hampered in the kingdom by the growth of liberal and constitutional

doctrines, which had little influence in the duchies, where they were either unnecessary or repugnant to the prosperous, conservative, agricultural community. But the growth of Danish radicalism was a new danger to the independence of the duchies. In Denmark, as elsewhere, radicalism and national ambitions combined. Hence, in 1848, just as the German Nationalists were opposed to Bohemians or Hungarians, so they were opposed to Danes, and came into conflict over the duchies. German troops assisted the duchies in their first war of independence; and German patriots claimed Schleswig no less than Holstein as an essentially German state.

The reaction destroyed the national as well as the radical work of the Revolution. Owing largely to the intervention of the Russian emperor, Nicholas I, the future of the duchies was made an international question. By the treaty of London (May 1852) the political union of the two duchies was denied, but Denmark promised never to incorporate Schleswig into the kingdom. The treaty also settled the succession to the duchies in such a way as to secure their dynastic union with Denmark. The ruling king, Frederick VII, had no direct heirs; and, as the laws of succession differed in kingdom and duchies, they would properly have gone after his death to different heirs. The powers chose Prince Christian of Glücksburg as the successor to the Danish throne, and bought out the rights of the Duke of Augustenburg to the succession of the duchies, which were to go to Christian also. The powers thought that in this way they had settled a very difficult matter.

As Frederick VII's end drew near, however, the question was found to be still very much alive. The Danes, determined to be certain of one thing, decided to

insist upon the Danish character of Schleswig.<sup>1</sup> As a preliminary step the purely German duchy of Holstein was granted almost complete control of its own affairs. A few months later, in November 1863, a new Constitution was issued for Schleswig. By this Constitution Schleswig was treated as a kind of annexe or outlying province of Denmark. Two days later the king died, and his successor was immediately compelled by the Danes to swear that he would observe the new Constitution. This act stirred the whole of Europe and set all the patriotic pens in Germany at work. The Federal Diet ordered the occupation of the duchies and entrusted the troops of Hanover and Saxony with the task.

Bismarck, as has been already stated, had determined to make the solution of this question the first task of a forward Prussian policy. Like Nicholas of Russia several years earlier, he saw that the fate of German Nationalism lay in this issue. Every German interest and every European power of importance were involved in it, so that success in the duchies meant success everywhere. The Germans had long looked forward to the creation of a separate independent duchy, in which, at Kiel, Germany might develop a great naval station. By taking the lead, Prussia would recover the position which she had lost in 1849, as the champion of German liberty. If Bismarck could at the same time secure the conquests of war for Prussia, he would rally to his Government all the latent militarism of the country and could afford to disregard the parliament.

<sup>1</sup> According to the old Constitution of the duchies, Schleswig and Holstein were never to be divided. This provision was generally taken to mean that they should never be separated; but the word used seems to convey the meaning that they were never to be split up.

Finally, a triumphant assertion of Prussian authority in the duchies would break up the European concert on the one question upon which it was agreed, and at the one spot where Germans were subject to international control.

Bismarck began, before the crisis became acute, by securing the goodwill of Russia. In spite of the reluctance of the king, he entered into a friendly understanding and military agreement with Russia during the Polish insurrection of 1863, at the very time that protests on behalf of the Poles were coming in from France, England, and the liberal element throughout Europe. By this understanding Bismarck carried out the plan which he had suggested during the Crimean war; and from this time he was able to secure Russian neutrality in the great Prussian wars. Of the other great powers who were interested in the duchies, the most formidable was England. The sympathy of Napoleon III with national movements made him hesitate to act vigorously against Germany. Moreover, he failed, through the folly of the English Government, to come to an agreement with England on his future policy, and he was waiting for a chance of making a bargain with Prussia similar to his previous bargain with the King of Italy. Bismarck therefore had no difficulty in keeping Napoleon inactive. Against English intervention he provided an Austrian alliance. This was the master-stroke of his career; for it enabled him to disregard the Federal Diet and to make his own plans for the future conflict with Austria.

If the Federal Diet had been an efficient body, Bismarck's plan would have come to nothing. Germany would have acted as a whole and Austria would have kept the lead. But the Diet was finally discredited by

its conduct during the second war of independence in the duchies. It had authorised war, but refused to run the risk of a European conflict by demanding the abolition of the new constitution of Schleswig. Similarly, Bismarck would have been checked if the Danish Government had put itself in the right and submitted to the great powers, as Lord John Russell advised. Its obstinacy allowed Bismarck to act in the name of the treaty of London, which the Danes had disregarded. The duchies were occupied by Prussian and Austrian troops; the London settlement was thus set on one side; the English Government, after vigorous protests, retired from the dispute, and Bismarck was free to settle the fate of the duchies with his ally.

The English Government had made two big mistakes. It had, through Lord Palmerston, spoken extravagantly in support of Denmark instead of working for a joint settlement; and it had misunderstood the position of Prussia. Lord John Russell's excellent state papers came too late, and England was faced with the prospect of a great war against two large powers. She now paid the penalty for her disregard of Prussian development, and lost for ever the chance which she had hitherto neglected of co-operating with the Prussian Liberals. To those who wondered why Prussia should interfere in such a dangerous question, Mr. Robert Morier ejaculated, "What is to become of Prussia if she is not to consider Germany in the same light as herself, and if she is to keep her sympathy for the loose disjointed straggling territories surrounded by her impossible frontier?" Morier wrote as a Liberal, eager for a Liberal settlement. Bismarck had realised the same truth from a very different standpoint.

In 1864 Bismarck was only at the beginning of his

great career. But the war for the duchies reveals the principles of a policy which he pursued during the next quarter of a century. In this brief introduction to the study of his work, it only remains to trace the bare outline of the amazing structure which he built upon his early achievement.

The King of Denmark surrendered the duchies, together with the little duchy of Lauenburg, by the treaty of Vienna, signed on October 30, 1864. Their future lay in the hands of Prussia and Austria. The latter favoured the creation of an independent duchy to be ruled by the house of Augustenburg. This was the German plan, and seemed to meet all difficulties. Bismarck, however, began at once to work for their addition to Prussia. He gradually persuaded the king, and made overtures to his ally. The duchies were so far away from the Austrian frontier that the Austrian Government would have agreed to this solution if Prussia had offered some compensation—a commercial treaty, for example, or a piece of Prussian territory in the south. But Bismarck and his military colleagues—who now begin to be very important—desired a clear assertion of the supremacy of Prussia more than any bargain. The annexation of the duchies was to be the sign of power, not the reward of an Austrian alliance.

For a time the quarrel was postponed. The allies agreed, in August 1865, to divide for the time being the administration of the duchies. By the convention of Gastein, Austria undertook to administer Holstein, and Prussia to administer Schleswig. Lauenburg was added to Prussia, the first addition to her territory since 1815. King William made this preliminary annexation the occasion of honouring Bismarck by raising him to the dignity of count. "In the four years which have

elapsed," he wrote, "since I summoned you to the head of the State Government, Prussia has gained a position which is worthy of her history, and which promises a fortunate and glorious future." Before twelve months had passed, Prussia had been increased by the addition of half a dozen provinces, and Austria was finally driven out of the German Confederation.

Bismarck began by ascertaining that Prussia had nothing to fear from the Emperor Napoleon—a conviction which he gained at a famous meeting at Biarritz—and by making a secret treaty with Italy. Austria was to be attacked in the rear by Italy if war were declared between her and Prussia within three months of the treaty (April 1866). War was declared by Austria and the Diet on June 14th. During the interval Prussia had come forward as the champion of a drastic reform of the Confederation, and also of good government in Holstein. On the one hand, Bismarck complained of the Austrian administration in the duchy; on the other, he introduced a scheme for the creation of a German parliament elected by universal suffrage. Germany was bewildered, and Austria triumphant. At last, the Austrian Government thought, the enemy has come into the open. This wild scheme would only make the Liberals suspicious and would certainly annoy the smaller powers. Accordingly it felt strong enough to bring the question of the duchies before the Federal Diet and to ask for federal aid against Prussia. Bismarck declared that this action was a breach both of the Convention of Gastein and of the Federal Act of 1815. Any state which voted with Austria would be regarded as voting a declaration of war. The vote was taken on June 14th, and the Prussian army was sent against the forces of Austria,

Bavaria, Württemberg, Saxony, Hanover, Baden, the two Hesses, and Nassau.

One of the most dramatic, and also one of the shortest wars in history followed. Bismarck's real weapons for the moment were not the German Liberals, but the Prussian army and the Italians. Since the reorganisation of the army by Roon, the Prussians had been trained by Moltke, the greatest soldier of the age. In spite of some early reverses Austria and her allies were completely overthrown, and the preliminaries of peace were made on July 26th. The war had been fought over a very large area, but had been really decided by the great battle of Sadowa or Königgratz in Bohemia on July 3. Austria withdrew from the Confederation, and Prussia added the kingdom of Hanover, the duchies, Hesse-Cassel, Nassau, and Frankfurt, the seat of the old Diet, to her scattered territories. A large compact state of nearly thirty million people now stretched over the whole of north Germany, from Frankfurt in the south to Kiel in the north. The Federal Act of 1815 was at last destroyed. Venice was added to the kingdom of Italy.

All previous attempts to reconstruct the German Confederation had failed because dynastic and provincial interests were opposed to the policy of National Liberalism. During the recent crisis Austria had pursued her traditional policy of supporting the former, and Prussia had posed as a protector of the latter. The disappearance of Austria from the scene left Bismarck to the task of reconciling the two forces under the direction of Prussia. Although the victorious army and his own diplomacy had placed him in a commanding position, the future was full of danger, and even of paradox. He had tried to play upon the hopes of the Liberals while he was fighting a Liberal majority in the Prussian



Diet. He had, in the name of the King of Prussia, humiliated the chief dynasties of Germany. Yet he never for one moment departed from the policy, which he had laid down for himself, of working the dynasties into a national settlement, or, in other words, of directing German Nationalism to a Conservative end. After the civil war was over, and Prussian supremacy had been permanently secured by the absorption of Hanover and the duchies, Bismarck did his best to regain the confidence of the large southern states. All the states south of the river Main, the kingdoms of Württemberg and Bavaria, the duchies of Baden and Hesse-Darmstadt were left outside the new settlement. They were invited to continue in commercial and military co-operation with Prussia as independent powers. During the next four years they were as independent as Belgium or Denmark. Meanwhile Bismarck formed north of the Main a strong North-German Confederation with an elaborate yet powerful central government. This was composed of the new Prussia, the kingdom of Saxony, the grand duchies of Mecklenburg and Oldenburg and eighteen other states, including the free cities Hamburg, Lübeck, and Bremen. The Constitution of the federal state was due almost entirely to Bismarck. A marvellous improvisation, it was such a harmonious expression of the various principles which underlie the political experience of Germany, that it was afterwards accepted as the Constitution of the German Empire of 1871, and has remained almost unchanged to this day. But its most obvious merit, to the mind of the national party, lay in the fact that it carried out the proposal made by Prussia before the war; it was ratified by a National Assembly elected by universal suffrage, and it established a legislative chamber which was also to be elected in the same way. Bismarck was for some years the hero

of the National Liberals, although he had in reality surrendered very little to democracy.

The passions roused by the civil war soon gave way to feelings of pride and satisfaction. The people of Bavaria and of Württemberg were stirred by the neighbourhood of a national state which fulfilled their German aspirations in such an unexpected fashion. Bismarck's next task was to use this feeling, and without going further in a liberal direction to enlarge the scope of the federation.

The task was necessary on strategical as well as on national grounds. The confederation was enclosed on three sides by France, the south German states, Austria, and Russia—a series of possible allies. Unless he intended to go further, Bismarck's clemency to the south German states might prove to be folly; for it was precisely in this part of Germany that French influence had always been most marked. On and off, Bavaria had been the ally of France for nearly two hundred years before the settlement of 1815; if Napoleon III should come to an understanding with Austria, Bavaria and her neighbours would be the natural centre of communication between them. Moreover, Russia was restless in the face of the activity of Prussia. Bismarck's ruthless disregard of the dynasties of Hanover and Hesse-Cassel was a little too Napoleonic. Indeed, an alliance between Russia and France was not much more unnatural than an alliance between Russia and a Prussia which was so heedless of legitimate principles. Of all these possible enemies, the Emperor of the French was much the most dangerous, and Bismarck prepared for a second war. Such a war would possess one inestimable advantage—it would rouse national feeling against an ancestral enemy, and would sweep the rulers of Bavaria and Württemberg into the patriotic current.

An enormous library of documents, treatises, speeches,

and pamphlets has been devoted during the last forty years to the connected problems—the origin of the Franco-German War and the formation of the German Empire. A discussion of this literature would lie outside the scope of a much larger essay than this, and would involve us in the details of French history between 1848 and 1870. On the other hand, the barest statement would be based upon controversial and doubtful information. The war, when it actually came, was sudden. It arose out of a Spanish revolution. The Spaniards had driven out their old Queen, Isabella, and were looking about for a successor. Madrid was the centre of endless intrigue, and the French quarrelled with the Prussians about a candidate. The quarrel was almost settled and moderate men were breathing more freely, when Bismarck took an unexpected opportunity of offending French pride. He shortened and published a telegram from the king in which William described an incident in his discussions with the French ambassador at Enis. The peace party at Paris did its best to avert war, but in vain. The French Minister of Foreign Affairs and the Empress Eugénie were set upon a conflict, and war was declared on July 19, 1870. At the conclusion of peace in May 1871 the Empire had been formed. The war became a national one; Baden, Bavaria and Württemberg successively joined the German confederation, and King William was proclaimed German Emperor at Versailles, outside Paris, on January 18. As a seal upon the unity of Germany, the Empire was by the treaty endowed with territory, the province of Alsace and half the province of Lorraine, both of which had in an earlier age formed part of the Holy Roman Empire.

Although the facts are disputed, a few general conclusions are now accepted by historians of this last

European war. In the first place, it was one of the very few wars of which it can be said with much truth that it "lay in the logic of history." The actual conflict of 1870 could easily have been avoided; but the Napoleonic Empire had in the long run either to fight or to surrender its principles. The moral justification of Germany is to be found in the principles of the French Empire. Napoleon had hypnotised the French people by appealing to the most provocative qualities of nationalism. Personally he preferred peace, good government, and a policy of sympathy with national movements elsewhere; in 1870 he had taken a great step towards the creation of a constitutional monarchy, whose ministers should be responsible to parliament; but his empire had survived through the prestige which it won during the Crimean and Italian wars, and he depended for popularity upon the military element and the memory of a foreign policy which dated from the days of Louis XIV—a policy of compensation for the successes of others, of "natural" frontiers, and the absorption of weak kindred peoples. Such a policy was a caricature of the militarism and federalism of contemporary Germany. Indeed, even if we emphasize the similar qualities of the German Empire at the present day, the apparent divorce between the army and the people, the absolutism of the Government, and the subjection of unwilling provinces, they will be found to be rooted in the fibre of the nation, whereas three Revolutions divided the Napoleonic monarchy in France from the absolutism of the old régime. This being the case, Napoleon's government had naturally become hostile to Prussia. Approval and the desire for a bargain were succeeded by suspicion and then by alarm. The failure to attack in 1866 was seen to have been a

great blunder. Napoleon discredited himself first by trying in vain to supervise the treaty between Prussia and Austria, and afterwards by allowing Bismarck to trap him in negotiations for German territory. When he found that Bismarck was, in spite of his accessibility, as opposed to a bargain as King William was in 1860, Napoleon entered into an understanding with Austria. If the French and Austrian governments had been prepared in 1870, they would have treated Prussia as Prussia and Italy had treated Austria four years earlier. Although all the facts were not known, the activity of the French Government and the growing demand of the French people for a policy of "revenge for Sadowa" drew all Germans together. North and south joined in the war. The southern Governments threw aside the plan of forming a South-German confederation, and negotiated separately with the northern state. Their support was so necessary that they were able to make very good terms. Bavaria, in fact, retains more independence in the German Empire than any other state.

Thus, in the Franco-German War, dynasties and people joined to create the Empire.

At first sight, the constitution of the German Empire seems to be based upon different principles from those which had hitherto prevailed in the history of German parliamentary institutions. The Reichstag is elected by universal suffrage; it is the chief legislative body, and has the right of granting taxes; it is composed of distinct groups or parties whose combinations influence the government. Administration in the modern state is so dependent upon changes in law and taxation that the support of a large party in the Reichstag is essential to the Imperial Chancellor and his departmental

secretaries ; and, at the same time, parties which are drawn from the whole of Germany are naturally less responsive to pressure from the government than a local body, for example the Prussian parliament, is. Lastly, the existence of manhood suffrage has enabled the social democrats, who have a radical programme of national self-government and are not influenced by provincial and conservative ideas, to take a growing part in the national councils. All this is true ; and the Reichstag may in the future acquire all the powers of the British House of Commons. Yet under the existing constitution the Reichstag, as the result of national agreement, divides sovereignty with the Government. Complete parliamentary government—that is, a ministry responsible to a majority in the democratic chamber—could only be reached in Germany after a revolution. The revolution would very possibly be a peaceful one, but it would none the less involve the disappearance of the dynasties, of the provincial traditions, of the Kaiser's control of the army, of the Prussian parliamentary system, and of the Federal Council. In other words, it would involve the disappearance of those elements which are characteristic of German history.

The German constitution, as created by Bismarck, maintains those relations between the government and parliament which are peculiar to Germany. The Constitution was approved by the separate governments before it was submitted to the National Assembly of 1867 ; and in 1871 it was accepted by the southern governments on behalf of the southern peoples. It differs from the Prussian Constitution of 1850, in being the result of national agreement rather than the gift of the monarch ; but it was not the outcome of popular deliberations. Bismarck presented it as the suggestion

of a victorious state, upheld by a victorious army. With marvellous skill he found a place in it for all the conflicting tendencies of German politics. The Reichstag was intended to satisfy the National Liberals. The Federal Council (Bundesrath) continued the old Federal Diet and preserved the rights of the state governments. In the Council the Prussian representatives have seventeen votes which have to be cast as a unit at the direction of the Prussian Government, and the other states have a varying number of votes cast in the same way. Although Prussia is strong enough to prevent the adoption of a policy distasteful to her, she cannot direct the Council at her will. The Council has a veto upon legislation, and is said to have exercised its right of rejecting laws much more freely than local German rulers have ventured to do. It has important executive powers, and deliberates behind closed doors. The Chancellor, although he is its President, has no right to assume responsibility for its acts. Moreover, as German publicists have pointed out, the German governments are more independent of public opinion in the Federal Council than they are at home. In the Council a government pursues its policy in alliance with other governments, and is therefore not easily called to account by local opinion. Thus the federal element in the German state maintains the influence of the dynasties and the independence of their governments. In this respect the Council differs from the Senate in the United States of America. The American Senate is, like the Council, composed of state representatives, and has certain executive as well as legislative functions. But as the American Constitution is in its nature democratic, and as the senators represent, not the executives, but the legislatures of the states,

the Senate acts as a balancing and critical, not as an anti-democratic force. Also, since the civil war, the supremacy of the American Federation has been accepted as essential; the Senate cannot be regarded as the champion of state democracy against the democracy of the nation as a whole.

If, therefore, the Reichstag, as the national assembly, were to become the seat of sovereignty, the powers of the Bundesrath, and with them of the state governments, would necessarily lapse. Germany would become a single state. The independent institutions of Prussia are an even greater check on the growth of democratic unity. The Emperor is the King of Prussia. His Chancellor is responsible to him alone, just as the first minister of Prussia is. To secure his authority the heads of the imperial departments are responsible to the Chancellor. The latter is permitted to speak in the Reichstag not as Chancellor, but as a member of the Council. Hence, although he and the Council are not responsible for each other, he interposes the Council between the Reichstag and the Emperor. At the same time the Chancellor is, in fact though not of necessity, the president of the Prussian ministry. When, owing to his unpopularity with the Prussian conservatives, Bismarck gave up the Prussian presidency in 1872, he soon found it expedient to resume office; and when, in 1894, Prince Hohenlohe, a Bavarian, became Imperial Chancellor, he became chief Prussian minister as a matter of course. The Chancellor has to pursue a policy for the Empire which is practicable in Prussia. In other ways also the traditions of Prussia influence the Empire. The relation between the Emperor and the army are the same as the relations between the King of Prussia and the Prussian army. He is Kriegs-



herr. When Bismarck was able to persuade the Reichstag to provide for the army for seven years at a time, he really placed the army outside the scope of parliamentary criticism and made use of his earlier victory over the Prussian Diet. Again, the Prussian Diet, elected differently from the Reichstag, and careful for its independence, is another important bulwark against a democratic empire. Anyone who voted for the supremacy of the Reichstag would vote indirectly for the reconstruction of the Prussian parliament. In 1848 the creation of a Prussian parliament destroyed the hopes of the nationalists at Frankfurt, and it still stands in the way of a democratic unity.

There is, however, one very significant difference between the German Empire and the normal German state. The difference lies in the fact that the government which so successfully maintains its authority is not the government of a single prince, but is federal. In Prussia, for example, and in several other German states which adopted parliamentary institutions, the supremacy of the government meant the victory of bureaucracy. The wonderful administration of Prussia was gradually wearing away old distinctions, and was creating a strictly united state. After 1866, and especially after 1871, this administrative efficiency, this favourite "cameral science" of the Germans had to be adjusted to the nature of a federal state. This needs some explanation.

As we all know, a bureaucratic state tends to approach the ideal of an ultra democratic state. The one by its belief in uniformity, the other by its belief in liberty, is led to attack all privileges, traditional interests and forces which oppose its claim to absolutism. Careful administrators, like careful socialists, are always trying

to reconcile good government with freedom of thought and action. Now Bismarck, who began life with an ardent belief in the political value of class distinctions and of ecclesiastical institutions, gradually became converted to the necessity of overriding them in the interests of the State. Just as the Liberals, and afterwards the Social Democrats, attacked them because they stood in the way of popular government and individual freedom, so Bismarck began to attack them because they stood in the way of a well-governed national state. He believed in them just as he believed in the dynasties—they were the safeguards of society, but they were not ends in themselves. He quarrelled with bureaucrats as he quarrelled with generals and diplomatists, but he fell increasingly under the influence of the science of politics—of that great science which, since the days of the political arithmetician, of the Physiocrats, and of Montesquieu, had learned increasingly to bring the study of social and political facts to the aid of government. For a few years his policy brought him into touch with the National Liberals, and there is no doubt that he was glad of their help and approval during the critical years after 1870. While he helped them to carry through the reorganisation of local government in Prussia, they helped him to attack the Catholic Church and allowed him to provide for the imperial army. The alliance was a temporary one, and was broken up in 1878. After 1878 Bismarck pursued the same policy; learning now from the agriculturalists, now from the socialists, he worked out his famous programme of State Socialism on the basis of protection; but he had learned a lesson which he took to heart. In the federal state he could no longer disregard parties and interests. If he preferred a federation of communities he must

respect the traditions which made these communities what they were. If Prussia and Bavaria were to be united he could not ride roughshod over the Catholics of Bavaria or even the Conservatives of Prussia. Bismarck railed at the Catholic party of the Centre as he had railed at the Prussian Liberals in 1862—they were men who put their egotistical notions before patriotism. But he gave in. By great good fortune he was able to divide the Liberals, and so avoid the dilemma of having to choose between one great party and another.

The contest between Bismarck and the Conservatives is known as the *Kulturkampf*, because it arose out of a conflict concerning religious education. Its history shows how nicely balanced the German Empire was, how necessary it was to continue the policy of compromise upon which the new federation was based. Prussia had defeated two great Catholic states, Austria and France. At the same time the Pope was deprived of Rome by the Italian Government, and the German nationalists were engaged, especially in Prussia, in a campaign for the State control of all education, and for the abolition of all clerical privileges which stood in the way of civil supremacy. The attitude of the Vatican Council and the decree of papal infallibility provoked them still more, and rallied even the Catholic states to assert the claims of the civil ruler and of private judgment. The Jesuits, as the chief exponents of the new papal policy, were driven out of Germany altogether. Bismarck thought this an opportune time to assert the absolutism of the State; he was especially anxious to destroy the anti-German influence of the clergy in Prussian Poland. During the next few years the State claimed control of all education, and even the

supervision of the clergy. Bismarck was deserted by his old friends, Protestants though they were, on the ground that he was establishing an absolutist or irreligious state, a Jacobinical perversion of the Prussian monarchy. They were able to resist, because they could rely upon support in the Reichstag and in the public opinion of Germany. In 1878 Bismarck compromised. The Church was admitted to join the dynasties and the people as a formative element in the Empire. Federalism tempered bureaucracy, even in Prussia, as it had tempered liberalism.

“The ox, when he is weary, treads surest.” Through long years of humiliation the Germans had reflected upon the foundations of their political life; and when Bismarck, backed by Moltke’s legions, brought them unity, he accepted their conclusions. His realism made him blind to much which has won permanence in the modern State, but it saved him from the one-sided solutions of his predecessors. It is true that only a rash student of the history of German unity would deny that Germany might have gained a parliamentary instead of an executive basis for her union. The present Empire was not inevitable. As we read the story of 1848, of 1859, of 1862, we feel how easily the German states might have come together, or been permanently divided, in very different conflicts. What can be said is, that the German democracy of the future will be founded upon the most enduring principles of German history, and upon nothing that is casual or unreal.

## LIST OF BOOKS

THE best books to read in English are J. W. Headlam's *Life of Bismarck* in the series, "The Heroes of the Nations" (Putnam), and Bismarck's own *Reflections and Reminiscences*, 2 vols., translated by Butler (Smith, Elder, 1898). There is a good account of the German constitution in Lowell's *Governments and Parties in Continental Europe* (Macmillan), and there are several good descriptions of modern imperial Germany. The best is probably W. H. Dawson's *Evolution of Modern Germany*. Good chapters upon German history will be found in Hazen's *Europe Since 1815* (Bell, 1910), and in Rose's *Development of European Nations* (Bell). There are two interesting essays upon the war of 1870 in Lord Acton's *Historical Essays* (Macmillan); Lord Acton had much private information. Memoirs and Reminiscences relating to Germany and Bismarck are innumerable. Much the most helpful of these is the *Memoirs and Letters of Sir Robert Morier*, edited by his daughter (Arnold, 1911). Sir Robert's *Essay on the Political Condition of the Kingdom of Prussia*, written in 1859 (vol. i. pp. 179-222), is particularly important and useful.

The best short German life of Bismarck is by Max Lenz. A new edition has recently appeared (Leipzig: Duncker & Humblot). Erich Marcks' *Life of William I* in the same series is in some ways better. The great Prussian historians, Treitschke and von Sybel, have now largely been replaced by later writers, but it is well worth while to read part, at least, of the English translation of von Sybel's *The Founding of the German Empire* (7 vols.).

Paul Matter, a French historian, has written a long and useful life of Bismarck in three volumes (Paris: Alcan, 1903-1908).

From the point of view of this essay the most suggestive books are Meinecke's *Weltbürgertum und Nationalstaat* (München: Oldenbourg, 1908) and Ernest Denis's *La Fondation de l'Empire Allemand* (Paris, Armand Colin, 1906). Both of these are excellent. Readers who can read German will also find a very helpful introduction to the study of the relations between governments and parliaments in a lecture by G. Jellinek, entitled *Regierung und Parlament in Deutschland* (Leipzig: Teubner, 1909, 36 pages). Those who care to compare the political conditions of medieval and modern Germany should read Spangenberg's *Vom Lehnstaat zum Standestaat* (München: Oldenbourg, 1912). For the work of Napoleon I in Germany see Fisher's *Napoleonic Statesmanship: Germany*.

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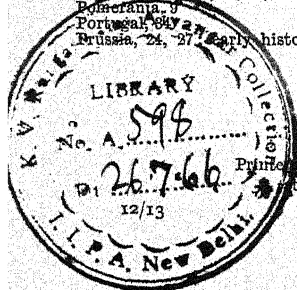
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